

An amendment was offered but later withdrawn that sought to prohibit the development of political surveillance files by the Internal Revenue Service.

Pages H6966-H6975

**Subcommittees To Sit:** The Subcommittee on Consumer Protection and Finance and the Subcommittee on Transportation and Commerce of the Committee on Interstate and Foreign Commerce received permission to sit during proceedings under the 5-minute rule today; and

Objection was heard to a request for the Committee on Post Office and Civil Service to be allowed to sit during proceedings under the 5-minute rule today.

Pages H6975, H6976

**Federal Savings and Loan Associations:** House passed amended S.J. Res. 102, to amend the Home Owner's Loan Act of 1933 so as to authorize Federal savings and loan associations to act as custodians of individual retirement accounts.

Pages H6975-H6976

**Select Committee on Intelligence:** By a voice vote, the House agreed to H. Res. 591, establishing a Select Committee on Intelligence.

Agreed to a technical amendment; and

Agreed to an amendment that prohibits the select committee from undertaking its inquiry until it has adopted security regulations and rules of procedure as required by the resolution.

Rejected:

An amendment that sought to lower the membership of the select committee from 13 to 7 members (rejected by a recorded vote of 125 ayes to 285 noes with 3 voting "present");

An amendment that sought to limit the committee's inquiry solely to activities of the CIA;

An amendment that sought to allow those Members presently belonging to the select committee created by H. Res. 138 to become members of the new committee if they so choose (rejected by a recorded vote of 119 ayes to 274 noes with 24 voting "present"); and

An amendment that sought to limit the committee's inquiry to certain activities of the CIA, the FBI, the Department of Justice, and the Department of the Treasury (rejected by a division vote of 34 ayes to 138 noes).

Pages H6976-H6992

**Committee To Sit:** The Ad Hoc Committee on the Outer Continental Shelf received permission to sit during proceedings of the House under the 5-minute rule on Friday, July 18.

Page H6992

**Energy Conservation and Policy:** House began consideration under the 5-minute rule of H.R. 7014, to increase domestic energy supplies and availability; to restrain energy demand; and to prepare for energy emergencies—but came to no resolution thereon. Further consideration will continue tomorrow.

Pages H6992-H6993

**Emergency Petroleum Allocation:** By a yea-and-nay vote of 239 yeas to 172 nays, the House agreed to the conference report on H.R. 4035, to provide for more effective congressional review of proposals to exempt petroleum products from the Emergency Petroleum Allocation Act of 1973 and certain proposed administrative actions which permit increases in the price of domestic crude oil; and to provide for an interim extension of certain expiring energy authorities—clearing the measure for the President.

Pages H6993-H7001

**Late Report:** Committee on Science and Technology received permission to file a report by midnight tonight on H.R. 8674, Metric Conversion Act of 1975; and Committee on Ways and Means received permission to file a report by midnight tonight on H.R. 8598, to amend title IV of the Social Security Act to make needed improvements in the recently enacted child support program.

Pages H6995, H7001

**Select Committee on Intelligence:** The Speaker appointed the following Members to serve on the Select Committee on Intelligence: Representatives Pike (Chairman), Giaimo, Edwards of California, James V. Stanton, Dellums, Murphy of Illinois, Aspin, Milford, Hayes of Indiana, McClory, Treen, Johnson of Colorado, and Kasten.

Page H7001

**Amendments Ordered Printed:** Amendments ordered printed pursuant to the rule appear on pages H7037-H7038.

**Referral:** One Senate-passed measure was referred to the appropriate House committee.

Page H7035

**Quorum Calls—Votes:** Three quorum calls, two yea-and-nay votes, and four recorded votes developed during the proceedings of the House today and appear on pages H6966, H6967, H6968, H6969-H6970, H6973, H6974-H6975, H6976-H6977, H6990, H6995, H7000-H7001.

**Program for Friday:** Met at 10 a.m. and adjourned at 6:10 p.m. until 10 a.m. on Friday, July 18, when the House will continue consideration under the 5-minute rule of H.R. 7014, Energy Conservation and Oil Policy Act.

## Committee Meetings

### FOOD STAMP ACT

**Committee on Agriculture:** Met and ordered reported favorably to the House H.R. 7887 amended, to amend the Food Stamp Act of 1964.

### SUGAR

**Committee on Agriculture:** Continued hearings on the possible need for sugar legislation. Testimony was heard from sugar industrial users and consumer groups.

Hearings continue tomorrow.

### BEEF RESEARCH AND INFORMATION ACT

**Committee on Agriculture:** By a vote of 15 to 12 turned down a motion to reconsider the vote by which

H.R. 7656, Beef Research and Information Act, was ordered reported to the House.

#### FOREIGN OPERATIONS APPROPRIATION

*Committee on Appropriations:* Subcommittee on Foreign Operations held a hearing on population program and private and voluntary organizations.

#### VETERINARIANS AND OPTOMETRISTS' PAY

*Committee on Armed Services:* Subcommittee on Military Compensation held a hearing on H.R. 7642, to extend the special pay provisions for veterinarians and optometrists. Testimony was heard from Vernon McKenzie, Principal Deputy Assistant Secretary of Defense for Health and Environment; Irving O. Kanst, D.P.M., American Podiatry Association; and Richard Averill, American Optometric Association.

#### MILITARY COMMISSARIES

*Committee on Armed Services:* Subcommittee on Investigations met and approved for full committee action H. Con. Res. 198, expressing the opposition of the Congress to any change in the present method of providing financial support for military commissaries through appropriations to meet their payroll costs.

#### REGULATION OF INTEREST RATES

*Committee on Banking, Currency and Housing:* Subcommittee on Financial Institutions Supervision, Regulation and Insurance continued hearings on H.R. 8024, relating to regulation of interest rates, electronic fund transfers, and mortgage disclosure. Testimony was heard from Comptroller of the Currency James E. Smith.

Hearings continue Monday, July 21.

#### PRICES OF COMMODITIES AND SERVICES

*Committee on Banking, Currency and Housing:* Subcommittee on Economic Stabilization met and approved for full committee action a clean bill in lieu of H.R. 4594, to amend the Council on Wage and Price Stability Act to confer additional authority on the Council with respect to the prices of commodities and services.

#### CONSUMER LEASING ACT

*Committee on Banking, Currency and Housing:* Subcommittee on Consumer Affairs met and approved for full committee action H.R. 4657 amended, Consumer Leasing Act of 1975.

#### AIR FORCE STRUCTURE

*Committee on the Budget:* Task Force on National Security held a hearing on the Air Force structure and heard testimony from Air Force witnesses.

#### METRO TRANSIT POLICE FORCE

*Committee on the District of Columbia:* Subcommittee on the Judiciary and Subcommittee on Commerce, Housing, and Transportation held a joint hearing on H.R. 4235 and 3423, to authorize the Washington Metropolitan Area Transit Authority to establish and maintain a Metro Transit Police Force. Testimony was heard from representatives of WMTA, D.C. Government, and Council of Governments.

Following the hearing, the subcommittees approved for full committee action a clean bill, Metro Transit Police Force.

#### ARTS AND ARTIFACTS INDEMNITY ACT

*Committee on Education and Labor:* Subcommittee on Select Education met and approved for full committee action title II, part B, Arts and Artifacts Indemnity Act, of H.R. 7216, amended.

#### CONSUMER PROTECTION ACT

*Committee on Government Operations:* Began markup of H.R. 7575, Consumer Protection Act of 1975, and will resume tomorrow.

#### MINERAL LEASING ACT

*Committee on Interior and Insular Affairs:* Subcommittee on Mines and Mining held a hearing on H.R. 8435, Mineral Leasing Act of 1975. Testimony was heard from Jack Carlson, Interior Assistant Secretary for Energy and Minerals.

Hearings continue tomorrow.

#### FOREIGN AID

*Committee on International Relations:* Continued markup of foreign aid legislation.

#### ACTIVITIES OF AMERICAN MULTINATIONAL CORPORATIONS ABROAD

*Committee on International Relations:* Subcommittee on International Economic Policy held a hearing on the activities of American multinational corporations abroad. Testimony was heard from IRS Commissioner Alexander; and SEC Commissioner Loomis.

#### MISSILE SALE TO JORDAN

*Committee on International Relations:* Subcommittee on International Political and Military Affairs continued hearings on the proposed missile sale to Jordan. Testimony was heard from Representatives Bingham, Drinan, Pepper, and Waxman.

#### REVIEW OF U.N. CHARTER

*Committee on International Relations:* Subcommittee on International Organizations held a hearing on H. Con. Res. 206, urging review of the United Nations

July 17, 1975

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### PERMISSION FOR SUBCOMMITTEES ON TRANSPORTATION AND COMMERCE AND ON CONSUMER PROTECTION AND FINANCE TO SIT TODAY WHILE HOUSE IS IN SESSION

Mr. VAN DEERLIN. Mr. Speaker, I renew my unanimous consent request that the Subcommittee on Transportation and Commerce and the Subcommittee on Consumer Protection and Finance be permitted to sit in public session this afternoon while the House is in session.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

#### RENEWAL OF REQUEST FOR PERMISSION FOR COMMITTEE ON POST OFFICE AND CIVIL SERVICE TO SIT TODAY DURING THE 5-MINUTE RULE

Mr. CHARLES H. WILSON of California. Mr. Speaker, may I renew the unanimous consent request that the Committee on Post Office and Civil Service be permitted to sit during the 5-minute rule this afternoon?

The SPEAKER. The Chair will advise the gentleman that the gentleman cannot do that in the absence of the person who made the objection.

#### ESTABLISHING A SELECT COMMITTEE ON INTELLIGENCE

Mr. BOLLING. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the resolution (H. Res. 591) establishing a Select Committee on Intelligence.

The SPEAKER. The question is on the motion offered by the gentleman from Missouri (Mr. BOLLING).

The motion was agreed to.

#### IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the resolution (H. Res. 591), with Mr. EVANS of Colorado in the chair.

The Clerk read the title of the resolution.

The CHAIRMAN. When the Committee rose yesterday, the Clerk had read through the first section ending on page 2, line 4, of the resolution.

Are there further amendments to the first section?

#### AMENDMENT OFFERED BY MR. LATTA

Mr. LATTA. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. LATTA: On page 1, line 6 after the words "composed of", strike the word "thirteen" and insert in lieu thereof "seven."

(Mr. LATTA asked and was given permission to revise and extend his remarks.)

Mr. LATTA. Mr. Chairman, this is a very simple amendment, and is easily understood, I do not think we will need a lot of time to debate it. This reduces the members on this committee from the proposed 13 to 7.

I might say that when the Committee on Rules was discussing this proposed select committee, the gentleman from California indicated before the Committee on Rules that he had considered reducing the then existing committee from 10 members to 7. To show that there is nothing scared about the number, the gentleman from Missouri came up with the figure of 13, believing that perhaps we could eliminate some of the problems the prior committee had had by increasing the membership. I believe just the opposite is true, I believe that we can eliminate some of the troubles by reducing the membership. Not only that, I believe that by reducing the membership the opportunity for leaks will be reduced. Since we are dealing with our intelligence gathering agencies, that is vital to the security of this Nation, I do not think we should treat this amendment lightly. Therefore, Mr. Chairman, I propose that the proposed number of 13 be reduced to 7.

Mr. BOLLING. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Ohio (Mr. LATTA).

Mr. Chairman, the number 13 is not just drawn from the sky. It provides room for those who might be reappointed and some additional members. It seems to me clear that a seven-member committee is simply not large enough to be a representative cross section of the House as seems to me to be very necessary in this very important and comprehensive study.

I hope that we can move along on these matters promptly. The gentleman from Ohio has indicated that he agrees with that notion, and I would hope we could have a vote on the amendment.

Mr. LATTA. Mr. Chairman, will the gentleman yield?

Mr. BOLLING. I yield to the gentleman from Ohio.

Mr. LATTA. Mr. Chairman, I thank the gentleman for yielding to me.

When the gentleman indicated a larger committee was necessary, namely, 13 members, that that would give us a cross section of the House, it seems to me that we do not have that many cross sections in the House, and that 7 members would be adequate.

For that reason, Mr. Chairman, I do not think there is any logic or anything sacred in the proposition that we have 13 rather than 7 members.

Mr. BOLLING. I have no pretense that the matter is sacred; I just think it is wiser.

Mr. Chairman, I hope the amendment offered by the gentleman from Ohio (Mr. LATTA) will be defeated.

The CHAIRMAN. The question is on

the amendment offered by the gentleman from Ohio (Mr. LATTA).

The question was taken; and on a division (demanded by Mr. LATTA) there were—ayes 27, noes 44.

#### RECORDED VOTE

Mr. LATTA. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 125, noes 285, answered "present" 3, not voting 21, as follows:

[Roll No. 401]

#### AYES—125

Abdnor	Emery	Miller, Ohio
Alexander	Eshleman	Moore
Andrews,	Florio	Myers, Ind.
N. Dak.	Forsythe	O'Brien
Armstrong	Frenzel	Pettis
Ashbrook	Frey	Peyser
Bafalis	Gaydos	Poage
Bauman	Goldwater	Pressler
Beard, Tenn.	Goodling	Quile
Bell	Gradison	Quillen
Biaggi	Grassley	Regula
Broomfield	Guyer	Rhodes
Brown, Ohio	Hagedorn	Rinaldo
Broyhill	Hammer	Robinson
Buchanan	schmidt	Rousselot
Burgener	Hansen	Schneebell
Burke, Fla.	Harsha	Schulze
Burleson, Tex.	Hastings	Sebelius
Butler	Hébert	Shriver
Byron	Heckler, Mass.	Shuster
Carter	Hillis	Skubitz
Casey	Hinshaw	Smith, Nebr.
Cederberg	Holt	Snyder
Chappell	Hutchinson	Spence
Clancy	Ichord	Steiger, Ariz.
Clausen,	Jarman	Stratton
Don H.	Johnson, Pa.	Taylor, Mo.
Clawson, Del.	Kelly	Thone
Cleveland	Kemp	Treen
Cochran	Ketchum	Van Deerlin
Cohen	Lagomarsino	Walsh
Collins, Tex.	Latta	Wampler
Conable	Lent	Whitten
Conlan	Lott	Wiggins
Coughlin	Lujan	Wilson, Bob
Crane	McCollister	Winn
Daniel, R. W.	McDade	Wyder
Dent	McDonald	Wylie
Derwinski	McEwen	Yatron
Devine	Madigan	Young, Alaska
Dickinson	Martin	Young, Fla.
Downing	Mathis	Zerfetti
Duncan, Tenn.	Michel	

#### NOES—285

Abzug	Burke, Calif.	English
Adams	Burke, Mass.	Erlenborn
Addabbo	Burlison, Mo.	Evans, Ind.
Ambro	Burton, John	Evans, Tenn.
Anderson,	Burton, Phillip	Fary
Calif.	Carney	Fascell
Anderson, Ill.	Carr	Fenwick
Andrews, N.C.	Chisholm	Findley
Annunzio	Clay	Fish
Ashley	Collins, Ill.	Fisher
Aspin	Conte	Fithian
AuCoin	Conyers	Flood
Badillo	Corman	Flowers
Baldus	Cornell	Flynt
Barrett	Cotter	Foley
Baucus	D'Amours	Ford, Mich.
Beard, R.I.	Daniel, Dan	Ford, Tenn.
Bedell	Daniels, N.J.	Fountain
Bennett	Danielson	Fraser
Bergland	Davis	Fulton
Bevill	de la Garza	Fuqua
Biester	Delaney	Gaiomo
Bingham	Dellums	Gibbons
Blanchard	Derrick	Gilman
Blouin	Dingell	Ginn
Boggs	Dodd	Gonzalez
Boland	Downey	Green
Bolling	Drinan	Gude
Bonker	Duncan, Oreg.	Haley
Bowen	du Pont	Hall
Brademas	Early	Hamilton
Breaux	Eckhardt	Hanley
Brinkley	Edgar	Harkin
Brodhead	Edwards, Ala.	Harrington
Brooks	Edwards, Calif.	Harris
Brown, Mich.	Ellberg	Hawkins



July 17, 1975

Butler  
Byron  
Carney  
Carter  
Casey  
Cederberg  
Chappell  
Chisholm  
Clausen,  
Don H.  
Clawson, Del  
Clay  
Cleveland  
Cochran  
Cohen  
Conable  
Conlan  
Conte  
Conyers  
Corman  
Cornell  
Cotter  
Coughlin  
Crane  
D'Amours  
Daniel, Dan  
Daniel, R. W.  
Daniels, N.J.  
Danielson  
Davis  
de la Garza  
Delaney  
Dellums  
Dent  
Derrick  
Derwinski  
Devine  
Dickinson  
Diggs  
Dingell  
Dodd  
Downey  
Downing  
Drinan  
Duncan, Oreg.  
Duncan, Tenn.  
du Pont  
Early  
Eckhardt  
Edgar  
Edwards, Ala.  
Edwards, Calif.  
Ellberg  
Emery  
English  
Erlenborn  
Eshleman  
Evans, Colo.  
Evans, Ind.  
Evins, Tenn.  
Fary  
Fasell  
Fenwick  
Findley  
Fish  
Fisher  
Fithian  
Flood  
Florio  
Flowers  
Flynt  
Foley  
Ford, Mich.  
Ford, Tenn.  
Foreythe  
Fountain  
Fraser  
Frenzel  
Frey  
Fulton  
Fuqua  
Gaydos  
Glaimo  
Gibbons  
Gillman  
Ginn  
Goldwater  
Gonzalez  
Goodling  
Grassley  
Green  
Gude  
Guyer  
Hagedorn  
Haley  
Hamilton  
Hammer-  
schmidt  
Hanley  
Hansen  
Harrington  
Harris  
Harsha  
Hastings  
Hawkins

Hayes, Ind.  
Hays, Ohio  
Hebert  
Heckler, Mass.  
Hefner  
Helstoski  
Henderson  
Hicks  
Hightower  
Hillis  
Hinshaw  
Holland  
Holt  
Holtzman  
Horton  
Howard  
Howe  
Hubbard  
Hungate  
Hutchinson  
Hyde  
Ichord  
Jarman  
Jeffords  
Jenrette  
Johnson, Calif.  
Johnson, Colo.  
Johnson, Pa.  
Jones, Ala.  
Jones, N.C.  
Jones, Okla.  
Jones, Tenn.  
Jordan  
Kasten  
Kastenmeier  
Kazen  
Kelly  
Kemp  
Ketchum  
Keys  
Kindness  
Krueger  
LaFalce  
Lagomarsino  
Landrum  
Latta  
Leggett  
Lehman  
Lent  
Levitas  
Littton  
Lloyd, Calif.  
Lloyd, Tenn.  
Long, La.  
Long, Md.  
Lott  
Lujan  
McClary  
McCloskey  
McCollister  
McCormack  
McDade  
McEwen  
McFall  
McHugh  
McKay  
McKinney  
Maddison  
Madden  
Madigan  
Maguire  
Mahon  
Mann  
Mathis  
Mazzoli  
Meeds  
Melcher  
Metcalfe  
Meyner  
Mezvisky  
Michel  
Mikva  
Milford  
Miller, Ohio  
Mills  
Mineta  
Mitchell, Md.  
Mitchell, N.Y.  
Moakley  
Mollohan  
Montgomery  
Moore  
Moorhead, Pa.  
Morgan  
Mosher  
Moss  
Mottl  
Murphy, Ill.  
Murtha  
Myers, Ind.  
Myers, Pa.  
Natcher  
Neal  
Nedzi  
Nichols  
Nix

Nowak  
Oberstar  
Obey  
O'Brien  
O'Hara  
O'Neill  
Ottinger  
Passman  
Patman, Tex.  
Patten, N.J.  
Pattison, N.Y.  
Pepper  
Perkins  
Pettis  
Peyser  
Pickle  
Pike  
Pomeroy  
Preyer  
Preyer  
Price  
Pritchard  
Quie  
Quillen  
Rallsback  
Randall  
Rangel  
Regula  
Reuss  
Rhodes  
Richmond  
Riegle  
Rinaldo  
Risenhoover  
Roberts  
Robinson  
Rodino  
Roe  
Rogers  
Roncallo  
Rooney  
Rose  
Rosenthal  
Rostenkowski  
Roush  
Roybal  
Runnels  
Ruppe  
Russo  
Ryan  
St Germain  
Sarasin  
Sarbanes  
Satterfield  
Schneebeil  
Schroeder  
Schulze  
Seiberling  
Sharp  
Shipley  
Shriver  
Shuster  
Sikes  
Simon  
Sisk  
Skubitz  
Slack  
Smith, Iowa  
Smith, Nebr.  
Snyder  
Solaz  
Spellman  
Spence  
Staggers  
Stanton,  
J. William  
Stanton,  
James V.  
Stark  
Steed  
Steiger, Ariz.  
Stephens  
Stokes  
Stratton  
Stuckey  
Studds  
Sullivan  
Symington  
Talcott  
Taylor, Mo.  
Taylor, N.C.  
Thompson  
Thone  
Thornton  
Traxler  
Treen  
Tsongas  
Ullman  
Van Deerlin  
Vander Jagt  
Vander Veen  
Vanik  
Vigorito  
Waggonner  
Walsh  
Wampler

Waxman  
Weaver  
Whalen  
White  
Whitehurst  
Whitten  
Wiggins  
Wilson, Bob

Wilson, C. H.  
Wilson, Tex.  
Winn  
Wirth  
Wolf  
Wright  
Wyder  
Wylie

Yates  
Yatron  
Young, Alaska  
Young, Fla.  
Young, Ga.  
Young, Tex.  
Zablocki  
Zerfetti

NAYS—18

Alexander  
Brodhead  
Carr  
Collins, Tex.  
Gradison  
Harkin

Hechler, W. Va.  
Hughes  
Jacobs  
Koch  
Krebs  
McDonald

Miller, Calif.  
Moffett  
Nolan  
Roussetot  
Scheuer  
Sebelius

NOT VOTING—23

Archer  
Brown, Calif.  
Burleson, Tex.  
Clancy  
Collins, Ill.  
Esch  
Hannaford  
Heinz  
Karth

Martin  
Matsunaga  
Minish  
Mink  
Moorhead, Calif.  
Murphy, N.Y.  
Patterson, Calif.

Rees  
Santini  
Steelman  
Steiger, Wis.  
Symms  
Teague  
Udall

So the bill was passed.

The Clerk announced the following

page  
Mr. Matsunaga with Mr. Burleson of Texas.  
Mrs. Mink with Mrs. Collins of Illinois.  
Mr. Hannaford with Mr. Patterson of California.  
Mr. Mink with Mr. Heinz.  
Mr. Murphy of New York with Mr. Archer.  
Mr. Teague with Mr. Moorhead of California.  
Mr. Santini with Mr. Steelman.  
Mr. Karth with Mr. Symms.  
Mr. Udall with Mr. Steiger of Wisconsin.  
Mr. Rees with Mr. Brown of California.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. STEED. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks, and include extraneous matter, on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

#### REQUEST FOR PERMISSION FOR SUBCOMMITTEES ON TRANSPORTATION AND COMMERCE AND ON CONSUMER PROTECTION AND FINANCE TO SIT TODAY WHILE HOUSE IS IN SESSION

Mr. VAN DEERLIN. Mr. Speaker, I ask unanimous consent that the Subcommittee on Transportation and Commerce and the Subcommittee on Consumer Protection and Finance be permitted to sit in public session today while the House is in session.

The SPEAKER. Is there objection to the request of the gentleman from California?

Mr. ROUSSELOT. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

#### REQUEST FOR PERMISSION FOR COMMITTEE ON POST OFFICE AND CIVIL SERVICE TO SIT TODAY DURING THE 5-MINUTE RULE

Mr. WHITE. Mr. Speaker, I ask unanimous consent that the Commit-

tee on Post Office and Civil Service be permitted to sit today for the purpose of deliberation during the 5-minute rule.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. THONE. Mr. Speaker, I object. The SPEAKER. Objection is heard.

#### AMENDING SECTION 5(c) OF HOME OWNERS' LOAN ACT OF 1933 TO CLARIFY AUTHORITY OF FEDERAL SAVINGS AND LOAN ASSOCIATIONS TO ACT AS CUSTODIANS OF INDIVIDUAL RETIREMENT ACCOUNTS

Mr. ST GERMAIN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the Senate Joint Resolution (S.J. Res. 102) amending section 5(c) of the Home Owners' Loan Act of 1933 to clarify the authority of Federal savings and loan associations to act as custodians of individual retirement accounts.

The Clerk read the title of the Senate Joint Resolution.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island?

Mr. ROUSSELOT. Mr. Speaker, reserving the right to object, would the gentleman from Rhode Island (Mr. ST GERMAIN) assure us that the clarifying amendment is necessary because there is one phase of the law that is not clear?

Mr. ST GERMAIN. If the gentleman will yield, yes, I can assure the gentleman from California that the purpose of the resolution is to allow savings and loan associations to act as trustees and custodians of individual retirement accounts.

Under the original act, the Home Loan Bank Board's counsel objected to the fact that there was not an amendment to the Home Owners' Loan Act. Subsequently, an amendment was passed. This included the word "trustee," but they neglected to include the word "custodian."

This amendment merely adds the word "custodian," so that the Federal Savings and Loan Associations can act as trustees and custodians of individual retirement accounts.

Mr. ROUSSELOT. Mr. Speaker, I appreciate the gentleman's explanation, and I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

The Clerk read the Senate joint resolution, as follows:

S. RES. 102

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of the paragraph of section 5(c) of the Home Owners' Loan Act of 1933 which was added by section 708 of the Emergency Home Finance Act of 1970 is amended—

- (1) by striking out "or section 408(a)";
- (2) by inserting after "1954" the following: "and to act as trustee or custodian of an individual retirement account within the meaning of section 408 of such Code"; and
- (3) by inserting "or account" after "such trust".



July 17, 1975

H 6977

Hayes, Ind.	Melcher	Roush
Hays, Ohio	Metcalfe	Roybal
Hechler, W. Va.	Meyner	Runnels
Hefner	Mezvisinsky	Ruppe
Heinz	Mikva	Russo
Helstoski	Miller, Calif.	Ryan
Henderson	Mineta	St Germain
Hicks	Mitchell, Md.	Sarasin
Hightower	Mitchell, N.Y.	Sarbanes
Holland	Moakley	Satterfield
Holtzman	Moffett	Scheuer
Horton	Mollohan	Schroeder
Howard	Montgomery	Seiberling
Howe	Moorhead, Pa.	Sharp
Hubbard	Morgan	Shipley
Hughes	Mosher	Sikes
Hungate	Moss	Simon
Hyde	Motti	Sisk
Jacobs	Murphy, Ill.	Slack
Jeffords	Murtha	Smith, Iowa
Jenrette	Myers, Pa.	Solarz
Johnson, Calif.	Natcher	Spellman
Johnson, Colo.	Neal	Staggers
Jones, Ala.	Nedzi	Stanton
Jones, N.C.	Nichols	J. William
Jones, Okla.	Nix	Stanton
Jones, Tenn.	Nolan	James V.
Jordan	Nowak	Stark
Kasten	Oberstar	Steed
Kastenmeier	Obey	Stephens
Kazen	O'Hara	Stokes
Keys	O'Neill	Stuckey
Kindness	Ottinger	Sudds
Koch	Passman	Sullivan
Krebs	Patman, Tex.	Symington
Krueger	Patten, N.J.	Talcott
LaFalce	Pattison, N.Y.	Taylor, N.C.
Landrum	Pepper	Thompson
Leggett	Perkins	Thornton
Lehman	Pickie	Traxler
Levitas	Pike	Tsongas
Litton	Preyer	Udall
Lloyd, Calif.	Price	Vander Jagt
Lloyd, Tenn.	Pritchard	Vander Veen
Long, La.	Railsback	Vanik
Long, Md.	Randall	Vigorito
McClary	Rangel	Waggonner
McCloskey	Reuss	Waxman
McCormack	Richmond	Weaver
McFall	Riegle	Whalen
McHugh	Risenhoover	White
McKay	Roberts	Whitehurst
McKinney	Rodino	Wilson, C. H.
Macdonald	Roe	Wilson, Tex.
Madden	Rogers	Wirth
Maguire	Roncallo	Wolf
Mahon	Rooney	Wright
Mann	Rose	Yates
Mazzeoli	Rosenthal	Young, Ga.
Meeds	Rostenkowski	Zablocki

ANSWERED "PRESENT"—3

Breckinridge Milford Young, Tex.

NOT VOTING—21

Archer	Mills	Rees
Brown, Calif.	Minish	Santini
Diggs	Mink	Steelman
Esch	Moorhead,	Steiger, Wis.
Evans, Colo.	Calif.	Symms
Hannaford	Murphy, N.Y.	Teague
Karh	Patterson,	Ullman
Matsunaga	Calif.	

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Sec. 2. The select committee is authorized and directed to conduct an inquiry into—

(1) the collection, analysis, use, and cost of intelligence information and allegations of illegal or improper activities of intelligence agencies in the United States and abroad;

(2) the procedures and effectiveness of coordination among and between the various intelligence components of the United States Government;

(3) the nature and extent of executive branch oversight and control of United States intelligence activities;

(4) the need for improved or reorganized oversight by the Congress of United States intelligence activities;

(5) the necessity nature, and extent of overt and covert intelligence activities by United States intelligence instrumentalities in the United States and abroad;

(6) the procedures for and means of the protection of sensitive intelligence information;

(7) procedures for and means of the protection of rights and privileges of citizens of the United States from illegal or improper intelligence activities; and

(8) such other related matters as the select committee shall deem necessary to carry out the purposes of this resolution.

Sec. 3. In carrying out the purposes of this resolution, the select committee is authorized to inquire into the activities of the following:

(1) the National Security Council;  
(2) the United States Intelligence Board;  
(3) the President's Foreign Intelligence Advisory Board;

(4) the Central Intelligence Agency;  
(5) the Defense Intelligence Agency;

(6) the intelligence components of the Departments of the Army, Navy, and Air Force;

(7) the National Security Agency;  
(8) the Intelligence and Research Bureau of the Department of State;

(9) the Federal Bureau of Investigation;  
(10) the Department of the Treasury and the Department of Justice;

(11) the Energy Research and Development Administration; and

(12) any other instrumentalities of the United States Government engaged in or otherwise responsible for intelligence operations in the United States and abroad.

Sec. 4. The select committee may require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents as it deems necessary. Subpoenas may be issued over the signature of the chairman of the select committee or any member designated by him, and may be served by any person designated by the chairman or such member. The chairman of the select committee, or any member designated by him, may administer oaths to any witness.

Sec. 5. To enable the select committee to carry out the purposes of this resolution, it is authorized to employ investigators, attorneys, consultants, or organizations thereof, and clerical, stenographic, and other assistance.

Sec. 6. (a) The select committee shall institute and carry out such rules and procedures as it may deem necessary to prevent (1) the disclosure, outside the select committee, of any information relating to the activities of the Central Intelligence Agency or any other department or agency of the Federal Government engaged in intelligence activities, obtained by the select committee during the course of its study and investigation, not authorized by the select committee to be disclosed; and (2) the disclosure, outside the select committee, of any information which would adversely affect the intelligence activities of the Central Intelligence Agency in foreign countries or the intelligence activities in foreign countries of any other department or agency of the Federal Government.

(b) No employee of the select committee or any person engaged by contract or otherwise to perform services for the select committee shall be given access to any classified information by the select committee unless such employee or person has received an appropriate security clearance as determined by the select committee. The type of security clearance to be required in the case of any such employee or person shall, within the determination of the select committee, be commensurate with the sensitivity of the classified information to which such employee or person will be given access by the select committee.

(c) As a condition for employment as described in section 5 of this resolution, each person shall agree not to accept any honorarium, royalty, or other payment for a speaking engagement, magazine article, book, or other endeavor connected with the investigation and study undertaken by this committee.

Sec. 7. The expenses of the select committee under this resolution shall not exceed \$750,000 of which amount not to exceed \$100,000 shall be available for the procurement of the services of individual consultants or organizations thereof. Such expenses shall be paid from the contingent fund of the House upon vouchers signed by the chairman of the select committee and approved by the Speaker.

Sec. 8. The select committee is authorized and directed to report to the House with respect to the matters covered by this resolution as soon as practicable but no later than January 3, 1976.

Sec. 9. The authority granted herein shall expire three months after the filing of the report with the House of Representatives.

Sec. 10. The Select Committee established by H. Res. 138 is abolished immediately upon the adoption of this resolution. Unexpended funds authorized for the use of the Select Committee under H. Res. 138 and all papers, documents, and other materials generated by the select committee shall be transferred immediately upon the adoption of this resolution to the select committee created by this resolution.

Mr. BOLLING (during the reading). Mr. Chairman, I ask that House Resolution 591 be considered as read, printed in the record and open to amendment at any point.

The CHAIRMAN. Is there objection to the gentleman from Missouri?

There was no objection.

AMENDMENTS OFFERED BY MR. LATTA

Mr. LATTA. Mr. Chairman, I offer amendments.

The Clerk read as follows:

Amendments offered by Mr. LATTA: On page 2: On line 9, strike all after the word "of", through line 10, and insert in lieu thereof: "the CIA";

On line 11, strike all after the word "of", through line 13, and insert in lieu thereof: "the CIA";

On line 15, strike all after the word "of", and insert in lieu thereof: "the CIA";

On line 17, strike all after the word "of", and insert in lieu thereof: "the CIA";

On line 19, strike all after the word "by", through line 20, and insert in lieu thereof: "the CIA";

On line 25, strike all the language and insert in lieu thereof: "the CIA"; and

On page 3, strike lines 1, 2, 3, 7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, and on page 4, lines 1 and 2.

Mr. LATTA (during the reading). Mr. Chairman, I ask unanimous consent that the amendments be considered as read and printed in the record.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. LATTA. Mr. Chairman, I ask unanimous consent that the amendments be considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

(Mr. LATTA asked and was given permission to revise and extend his remarks.)

Mr. LATTA. Mr. Chairman, these amendments would restrict this inquiry to the CIA alone. Mr. Chairman, I think that irreparable damage has been done to the CIA, which is essential to the se-

curity of this country. I know that the CIA has done many things that are in violation of law which many Members of this Congress disagree with.

Let me just direct the attention of the Members to the scope of the proposed resolution, and ask them whether or not they feel that a committee of this Congress should be getting into these areas that have not even been mentioned in the press:

The National Security Council. Have the Members heard or read of anything about the National Security Council that would cause this Congress to investigate it?

The U.S. Intelligence Board. Have the Members heard or read anything about the U.S. Intelligence Board—I just overheard a Member say, "I never even heard of it"—which would necessitate an inquiry into their intelligence activities by the Congress?

The President's Foreign Intelligence Advisory Board. I might say that this Congress has unwisely gotten into certain foreign policy matters in the last several months, perhaps to our regret, and I cannot for the life of me understand why we should be investigating the intelligence activities of the President's Foreign Intelligence Advisory Board.

The Defense Intelligence Agency. Do we really want to get into investigating the intelligence agency in the defense establishment? Is this what this resolution is all about? We have been hearing about the CIA. Perhaps we do need, as the gentleman from Illinois attempted to provide a Joint Committee on Intelligence, but we are not now proposing a Joint Committee on Intelligence.

The intelligence components of the Departments of the Army, Navy, and Air Force. Do we want to do that?

The National Security Agency. Have the Members heard anything that would lead them to vote to investigate the National Security Agency? Yet it is in this resolution.

The Intelligence and Research Bureau of the Department of State. Do we want to get into the Department of State intelligence activities?

Oh, yes, recently we have seen where the Federal Bureau of Investigation had gotten into print and, just as I mentioned when this matter was before the Committee on Rules the other day, all we have to do to run scared is to have something come out in print between the time it came out in the Committee on Rules and the time it got down on the floor and, sure enough, we had something in print about the Federal Bureau of Investigation.

So now we want to investigate the Federal Bureau of Investigation. I think not.

The Department of the Treasury and the Department of Justice intelligence matters.

And here is one: On page 3, line 21, item No. 11, the Energy Research and Development Administration intelligence activities. Do we want to get into that matter?

And if they have not covered everything, they do it in item 12, "any other

instrumentalities of the U.S. Government engaged in or otherwise responsible for intelligence operations in the United States and abroad." Could one have a broader blanket of investigative authority than is contained in that item? Absolutely not.

I am certain that every Member of this House realizes that intelligence activities properly carried on are absolutely necessary to the security of this country.

The CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent, Mr. LATTI was allowed to proceed for 2 additional minutes.)

Mr. LATTI. Mr. Chairman, I do not believe we want to start investigating agencies of our Government involved in intelligence, that I have not even gotten into print. As a matter of fact, I was somewhat surprised the other day to hear the Members say that what we should do on intelligence matters is to let the sunshine in. If we start doing that, opening up the intelligence activities of this country to the world, we might just as well see our intelligence establishment go down the drain. I do not believe we want to make this investigation that broad.

So I urge the Members, regardless of partisanship—and I hope on this matter we are not going to divide on partisan lines—to ask themselves whether or not this inquiry as set forth here is in the best interests of your country and mine. And I believe, as truly as I stand before the Members now, that to get into all of these intelligence agencies that I have mentioned, and include item No. 12 that makes it all-inclusive, is not in the best interest of our country—and that is your country as well as mine.

Mr. MARTIN. Mr. Chairman, will the gentleman yield?

Mr. LATTI. I yield to the gentleman.

Mr. MARTIN. I thank the gentleman for yielding.

I ask the gentleman whether it would be his understanding, referring to page 3, line 23, subsection (12), which says, "any other instrumentalities of the U.S. Government engaged in or otherwise responsible for intelligence operations in the United States and abroad," whether that might, for example, include such diverse groups as the Democratic study group, which has staff members who are employed from the salary accounts of Members of the House of Representatives, and which does have some responsibilities for investigating?

The CHAIRMAN. The time of the gentleman from Ohio (Mr. LATTI) has expired.

(By unanimous consent, Mr. LATTI was allowed to proceed for 1 additional minute.)

Mr. LATTI. Mr. Chairman, in all truthfulness, as I read the item (12) on page 3, it says: "any other instrumentalities of the U.S. Government \* \* \*" and I would not think that the Democratic study group would be classified as an instrumentality of the U.S. Government.

Mr. MARTIN. Mr. Chairman, I thank the gentleman.

Mr. McCLODY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, in rising on this subject, I want first of all to indicate I hope this will not be a partisan decision which we reach, but a bipartisan one. As a matter of fact, one of the principles we have adhered to with respect to the selection of staff for our select committee has been to have a bipartisan professional staff for this committee. Whatever becomes of this select committee, I hope that principle is adhered to.

The problems with the select committee have not been because of the scope of the mandate. The problems have been quite separate and apart from that. As a matter of fact, it seems to me that the most important part of the work that we can do, the most important role that we can fulfill is perhaps not to duplicate what the Rockefeller Commission has done or what the Church committee is doing with regard to the CIA.

As a matter of fact, it would make more logic, as far as I am concerned, to eliminate our mandate with regard to CIA and include all the rest of these intelligence agencies, because what we have here is a widespread conglomerate, a confused and uncoordinated intelligence setup or intelligence community, which certainly seems to be illogical and which does not seem to be complying with the congressional mandates and the law now written.

Theoretically, all of these agencies are supposed to be funneled in through the CIA and the U.S. Intelligence Board and then on to the President. But what has occurred according to the reference material from the Legislative Reference Service, is that the Central Intelligence Agency is circumvented in a number of instances by a number of intelligence agencies. As presently existing we have duplications, we have waste, we have expense, and we have inefficiency. That is really unfortunate, as far as the intelligence community is concerned.

Mr. Chairman, the authority of this committee is not to go into details, not to go into secret information with regard to individual activities or projects, but it is moreover, on the other hand, to go into the question of the cost of intelligence activities and other aspects of the entire intelligence community.

Under paragraph 2 of the authority it says: "To inquire into the procedures and effectiveness of coordination among and between the various intelligence components of the U.S. Government."

In other words, the whole impact of this mandate of the select committee's authority is to cover the entire gamut of our intelligence agencies and to try to bring some order out of this complex situation, and to try to bring some logic and understanding into this area of legitimate congressional concern.

It is certainly my hope that this amendment will be defeated.

Mr. Chairman, I might say further that we should determine whether or not the law is being followed. Of course, these agencies are operating in accordance with the law which we have provided, but I think there may be some question about that. That is the kind of



July 17, 1975

H 6979

inquiry we should make. And perhaps we should make some recommendations on how we can oversee the intelligence agencies, bring them together, and coordinate them and see if we can do a better job.

Our purpose is not to sensationalize. I do not think that is the purpose of this committee, and I hope that will not be the result of the reconstituting of this committee. I hope we will do the kind of responsible job which needs to be done in order that we can conduct the kind of oversight we need. We must come up with the recommendations that can improve the CIA and improve all the intelligence agencies so that we can have them do what we intended for them to do. They should not be overlapping, they should not be getting in each other's way, they should not be refusing to communicate with each other when they should be communicating, and they should not be invading individual rights in violation of the legal and constitutional rights of our American citizens. The intelligence agencies should not be doing these things; they should be performing in the way the Congress intended under the legislation we enacted.

(Mr. McCLODY asked and was given permission to revise and extend his remarks.)

Mr. LATTA. Mr. Chairman, will the gentleman yield?

Mr. McCLODY. I yield to the gentleman from Ohio.

Mr. LATTA. Mr. Chairman, I thank the gentleman for yielding.

Let me get clear in my mind what the gentleman is saying.

Is the gentleman saying that this resolution does not provide for an inquiry into the activities of these various intelligence groups and that this should be confined to a matter of overlapping jurisdiction and costs, et cetera? Is that what the gentleman is saying?

Mr. McCLODY. I am saying this, that there is specific authority to establish rules to prevent the disclosure of secret and confidential information which is received by the committee, and I hope appropriate rules will be adopted and will be adhered to. It should be.

Mr. LATTA. The gentleman from Illinois (Mr. McCLODY) did not answer my question. I am asking him for the second time whether or not he believes that this resolution, House Resolution 591, would not permit this committee to get into an inquiry of the kind of activities these various intelligence groups are engaging in. Is that what the gentleman is saying?

Mr. McCLODY. Let me say in response to that that in my previous discussions with the former chairman or the existing chairman of the select committee, we agreed that insofar as names of individuals, insofar as individual involvement, and individual projects were concerned that might jeopardize any individual rights of any persons involved in the intelligence activities, that those rights and prerogatives would be protected.

The CHAIRMAN. The time of the gentleman from Illinois (Mr. McCLODY) has expired.

(On request of Mr. LATTA and by unanimous consent, Mr. McCLODY was allowed to proceed for 1 additional minute.)

Mr. LATTA. Mr. Chairman, if the gentleman will yield further, I would like to call his attention to the language on page 3, line 4, section 3, which says:

In carrying out the purposes of this resolution, the select committee is authorized to inquire into the activities of the following

Then it recites the intelligence groups. That is just as plain as the English language can be written.

Mr. McCLODY. Let me say to the gentleman that in section 2 we find an outline of the work that we are directed to perform. That is the mandate of the committee, and section 3 gives the authority. We are authorized or permitted to inquire into the activities of these agencies, but we do not have to. It is permissive. We are authorized to do it, and it does have wide scope, but it is an overall limit, not a requirement, as to what we can do.

Mr. Chairman, I hope that the amendment will be defeated.

Mr. BOLLING. Mr. Chairman, I move to strike the requisite number of words.

I rise in opposition to the amendment, and I hope we can vote on this matter very quickly.

The gentleman from Illinois (Mr. McCLODY) has made the points necessary, and I think he has made them very well.

The only thing that I would like to emphasize is that what we want from this committee is more than an investigation. We want from this committee recommendations for the improvement of the whole process of intelligence-gathering. We want to avoid having in the future the kind of situation that we have had in the past, where it would seem that the intelligence-gathering agencies, more than one, in fact, have gone beyond the mandate that I believe the Congress expected them to pursue.

Unless they have the opportunity in the select committee to deal with all the different aspects of intelligence, I cannot see how they could possibly pretend to make a recommendation on improvements to the Congress.

Mr. Chairman, it seems to me, therefore, very important that the select committee have this broad writ, and I therefore urge that the amendment be voted down.

Mr. MARTIN. Mr. Chairman, will the gentleman yield for a question?

Mr. BOLLING. I will be glad to yield to the gentleman from North Carolina.

Mr. MARTIN. I would like to pursue the meaning of the words at the bottom of page 3, lines 23 and 24.

Does this language include such agencies as the Bureau of the Census, which does gather, collect, and analyze information about U.S. citizens? And would it include the Departments of Housing and Urban Development and Health, Education, and Welfare, which also keep records on private citizens, besides any other U.S. agency as to which the standing committees already have oversight responsibility?

Mr. BOLLING. I think it would be easy

to speak of those and argue over what the intelligence activity is, but I doubt that one would normally expect routine statistical gathering for purposes other than policymaking would come under the heading of intelligence activities.

I think that one would have to expect that the committee, both sides of the committee, the whole committee and its members, would be reasonable as to what was the intelligence activity. I think we know rather well what we should require.

I do not think we are trying to deal with the Bureau of the Census or a variety of other entities.

It happened a long time ago that I was a chairman of a seemingly unimportant subcommittee of the Joint Economic Committee, the Subcommittee on Statistics, which dealt with most of these agencies. It would never occur to me to include them as part of the investigation and recommendation that would be made by this resolution. I think we have to expect that the members of the committee would be reasonable.

Mr. MARTIN. Mr. Chairman, if the gentleman will yield further, I would say that that is a helpful reply because it might very well occur to the members of the committee to pursue some of these agencies. The Department of HEW collects and analyzes data on specific individuals, not so much for policy purposes, but for the day-to-day operation of decisionmaking of grants, and so forth. I believe that the gentleman from Missouri is saying that it is not his intention or expectation that the committee would delve into these kinds of areas?

Mr. BOLLING. I would not expect it to be involved in anything than what is commonly associated with intelligence gathering.

Mr. MARTIN. And if the purpose of subsection 3(12) is a catchall, it is not intended to catch anything?

Mr. BOLLING. The gentleman is correct, it is merely to give them broad enough a base so they would not be limited in their investigation.

Mr. MARTIN. I thank the gentleman.

Mr. LATTA. Mr. Chairman, will the gentleman yield?

Mr. BOLLING. I yield to the gentleman from Ohio.

Mr. LATTA. Mr. Chairman, then my question is that this is the same resolution with very few changes, that appear on page 6, that was previously brought before this House, in addition to striking the word "ten", and inserting the word "thirteen"?

Mr. BOLLING. That is of course correct.

Mr. LATTA. That is correct.

The committee that will be dissolved by the passage of this resolution was in fact investigating the activities of the CIA. Is the gentleman from Missouri telling the House that if we pass this resolution they are not going to investigate the activities of the CIA and these other intelligence agencies?

Mr. BOLLING. I did not intend to do that.

Mr. LATTA. I know the gentleman did not.

Mr. BOLLING. I have no intention of suggesting that they are not going to



H 6980

## CONGRESSIONAL RECORD—HOUSE

July 17, 1975

investigate any of the enumerated agencies, and perhaps some others that are not enumerated.

Mr. LATTA. What did the gentleman mean by his statement that they had gotten into too many areas prior to this time, and had gotten into trouble? What does the gentleman mean by that?

Mr. BOLLING. I do not remember saying that. I do not remember using words to that effect.

Mr. LATTA. Then let us get back to the language in this resolution.

The CHAIRMAN. The time of the gentleman has expired.

(On request of Mr. LATTA, and by unanimous consent, Mr. BOLLING was allowed to proceed for 1 additional minute.)

Mr. LATTA. On page 3, would the gentleman from Missouri agree there is an amendment to strike the inquiry into the activities of these agencies?

Mr. BOLLING. There must be some misunderstanding between the gentleman and me. I do not think I said anything that would indicate that I wanted to alter that aspect of it.

What I did try to say was that I hoped we were going to get from this committee some recommendations, and those recommendations could only be made if they had the overall authority.

Mr. LATTA. And this would include activities of those agencies?

Mr. BOLLING. They are part of the overall picture.

Mr. LATTA. But this is still the language in the resolution that created the existing committee which is in trouble now.

Mr. BOLLING. They may have to look into the activities of another organization's activities.

Mr. LATTA. I thank the gentleman for clarifying that point, because I think there was a misunderstanding among the Members on this floor that we were not giving the same broad authority in this resolution as we had given them prior to this, and they are in fact given the same authority.

Mr. BOLLING. I would certainly not have intentionally misled the Members.

Mr. Chairman, I would ask for a vote on the amendment.

The CHAIRMAN. The time of the gentleman has expired.

(On request of Mr. MARTIN, and by unanimous consent, Mr. BOLLING was allowed to proceed for 1 additional minute.)

Mr. MARTIN. Mr. Chairman, will the gentleman yield?

Mr. BOLLING. I yield to the gentleman from North Carolina.

Mr. MARTIN. Mr. Chairman, further pursuing the point that was raised earlier, could the gentleman clarify whether it would be his intention and expectation that the committee could look into such agencies as the postal inspectors, Bureau of Customs, the Border Patrol, and so forth?

Mr. BOLLING. I do not think so, unless they led into one of the agencies that gathers intelligence, such as for postal purposes, the Postal Service being used for mail covers, and such, as was done in the past. I can

conceive of an examination of the Postal Service activities where they are being used by one of these intelligence gathering agencies to gather intelligence. But I cannot conceive of their just investigating the Postal Service, the Inspection Service, just on its own in terms of its responsibilities within the Postal Service.

Mr. MARTIN. I thank the gentleman. Mr. BOLLING. Mr. Chairman, I ask for a vote on the amendments.

The CHAIRMAN. The question is on the amendments offered by the gentleman from Ohio (Mr. LATTA).

The question was taken and the Speaker announced that the yeas appeared to have it.

Mr. LATTA. Mr. Chairman, I demand a recorded vote.

A recorded vote was refused.

So the amendments were rejected.

AMENDMENT OFFERED BY MR. MOSS

Mr. MOSS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Moss: On page 1, line 7 and 8, strike out "to be appointed by the Speaker" and insert in lieu thereof: "including those members of the Select Committee established by House Resolution 138 who choose to be members of the select committee established by this resolution, with additional members to be appointed by the Speaker".

The CHAIRMAN. The Chair recognizes the gentleman from California (Mr. Moss).

(Mr. MOSS asked and was given permission to revise and extend his remarks.)

Mr. MOSS. Mr. Chairman, I offer this amendment from a sense of deep personal conviction that the means being employed here today are inappropriate to the occasion. Actually what we are doing to attack one problem is to dissolve a committee and create a committee with the precise same jurisdiction and three additional members. That may be a very wise thing to do, but somehow it offends my sense of justice. I would not want to be deprived of membership on any committee of this House by such a circuitous method. I would far prefer, if I were alleged to have transgressed the Rules of this House, to be brought before the bar of this House and answer to the Members of this House. I think that is the appropriate way for us to deal with matters of this type.

In my judgment, when I reach the point where I have a matter of conscience, I am going to exercise my conscience, rules or no rules, make no mistake. I think that is a right that is, to paraphrase Burke, a matter on which I am answerable only to the Almighty God and not to any Member of this House.

I think that we have a serious crisis in this House as an institution. We have a crisis of confidence, a crisis of credibility, and I do not think these kinds of actions do anything to restore public confidence in the credibility of this House as a responsible and responsive institution of Government.

I think it is in the interest of the public that this committee continue with its members originally selected who desire

to continue to serve, and let the committee tackle the problem of resolving its own crisis. There are many ways it can do it. The committee does have the authority to act against a recalcitrant chairman, if that is the problem.

Or it has the authority where a Member transgresses the rules of the House to act against the Member.

I think this should have been handled in a different manner. I know I will be accused undoubtedly by my good friend, the gentleman from Missouri, of coming into this at a very late hour and perhaps I did. But I have no less responsibility to do what I feel is appropriate and to do what I feel is right because I entered it at a late hour. I still have to cast a vote and I still have to render a judgment and I do not want to have to select between the Members who serve on this committee. I do not think there is one for whom I have not great respect and I do not think there is one that I cannot call a friend. I do not want to be put in the position of rendering a judgment through the back door. That is what we are doing here.

It will be alleged that we are now or will be casting a reflection upon the Speaker by the mere action of offering this amendment. I want to say there is not any intent on the part of this Member nor should any conclusion inferring that be drawn from the action of this Member in offering this amendment.

It is very simple to me and I reaffirm what I said as I opened my remarks. This is a simple matter of my conscience telling me what I feel is a just, a fair, a decent way of dealing with my colleagues. It is the way I would want to be dealt with. I would not want to be taken off and deprived of any of my committee assignments through this method and I do not want this as a precedent for depriving Members of their rights.

The CHAIRMAN. The time of the gentleman from California has expired.

(On request of Mr. ECKHARDT, and by unanimous consent, Mr. MOSS was allowed to proceed for 2 additional minutes.)

Mr. ECKHARDT. Mr. Chairman, will the gentleman yield?

Mr. MOSS. I yield to the gentleman from Texas.

Mr. ECKHARDT. Mr. Chairman, I compliment the gentleman in the well for devising this solution. I think it is a cautious solution and it is one which both breaks the deadlock and avoids the condemnation of either side on the Committee.

It surprises me that we seem to have given up that means we have always used to break deadlocks here. When we had deadlocks and had difficulties with the old Rules Committee we enlarged the Rules Committee. We did not destroy it or abolish it or create a new committee. When there were problems with the Ways and Means Committee and it was necessary to get enough Members to break it into subcommittees we enlarged that committee. We did not abolish the old committee.

Why should we not use that tried and tested means of breaking deadlocks, simple enlargement?

July 17, 1975

H 6981

Mr. MOSS. The gentleman is correct. In fact the great committee reporting this resolution has gone through several redings where it has had its membership enlarged rather than having the committee abolished and reconstituted with perhaps different membership. I recall when we increased the membership on the Rules Committee to achieve what was recognized by everybody in the House. I believe in fact my very good friend, the gentleman from California (Mr. Sisk), was one of those who was put on at that time, when the Rules Committee was enlarged to break deadlocks which the House felt, the majority of the Members of the House felt were impeding the work of the House.

This is a very bad precedent.

Mr. ECKHARDT. If "the gentleman will yield further, even such a bold President as President Roosevelt did not propose the abolition of the Supreme Court and replacement by a "Paramount Court." He tried to provide for enlargement.

Mr. MOSS. It was just a case of enlargement. And this is one instance where a little expansion, a little growth could well lead to the development of the solution which will not deprive Members of their rights.

Mr. YOUNG of Georgia. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to this amendment. I tried to rise early, because I wanted to see if we could keep this amendment on target and keep the discussion on target and not let it become a referendum on any particular Member's conduct or character.

I have participated in the debate in the Committee on Rules on this measure and through a period of almost two months there were constant meetings with the Speaker and with the present Select Committee on Intelligence and there was a deadlock there that just could not be resolved.

I would say that everybody that was involved in it tried to offer a solution and simply could not resolve the difference.

Now, I happen to respect the difference. I think there are going to be many issues in this House and in the conduct of the affairs of this Nation where good men and honest men will differ on the basis of principles which they hold dear to their own hearts. I probably will not agree with one side or the other, maybe with neither side; but I do think that in spite of the fact there are differences, we have got to as a democratic institution have the authority to find points of reconciliation and if the principles are so hard and fast in any given selection of persons that they cannot be resolved, then I would think it is in order to dissolve the committee and reconstitute it among people who might have the same principles, but who may just be able to find ways of reconciling the points of disagreement.

Now, interestingly enough, the Committee on Rules itself operates at the pleasure of the Speaker. In fact, in the Democratic caucus I supported the right of the Speaker to name members of the

Committee on Rules each term, simply because I felt that that would give a measure of freedom of conscience, but so long as I was locked into the Committee on Rules and had been put on the Committee on Rules by the Speaker and the Democratic caucus, there was a kind of undue obligation that I would feel to serve those interests if they could not put me off. I voted for that resolution in the Democratic caucus, because I wanted to be free to disagree with the leadership, with the Speaker, whenever I wanted to, and knowing that I was not taking advantage of any authority vested in me by the caucus of the Speaker or by the House, because they could remove me. I think the right of the leadership to remove anybody or any group of people in the interest of getting the job done is something that I have got to respect.

Now, more than I want to protect the Members of this committee, I want to have a committee investigating the intelligence-gathering apparatus of this Nation and given the choice of going through any difficulties of resolving tensions and proceeding ahead with the investigation, I am afraid that the interest of this Nation and the interest of the House have to rise above the interest of any particular person or any group of persons. It is on that basis that I oppose this amendment and that I hope we can vote it down.

Mr. DRINAN. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of Georgia. I yield to the gentleman from Massachusetts.

Mr. DRINAN. Mr. Chairman, I thank the gentleman for his comments.

I wonder if the same objective could be achieved by enlarging the committee even further. I do not know of any example, at least in the recent history of the House of Representatives, where a committee has been dissolved and then simultaneously reconstituted.

I worked for some 4 years to dissolve a particular Committee on Internal Security and it was a long, hard fight. I am wondering whether or not to achieve the objective the gentleman mentioned that the committee could be enlarged, as has been suggested by our colleagues here on the Committee on Ways and Means, Means, the Committee on Rules and similar examples. I wonder if the Committee on Rules had thought of that particular possibility?

Mr. YOUNG of Georgia. Mr. Chairman, that is, in fact, what we did. We enlarged the committee to 13 members. We have not in any way stipulated who those 13 members would be or called for the abolition or the ignoring of the existence of the committee.

Mr. DRINAN. If the gentleman will yield further, I think the key question that keeps coming back to me and to other Members is that I recall that the gentleman from Connecticut (Mr. GAIAMO) asked, "Why is it necessary to dissolve the existing committee? Why is not enlargement enough in and of itself?"

Mr. YOUNG of Georgia. Mr. Chairman, let me say why I think—and I am not speaking for anyone but myself—I think that in dealing with all kinds of

sensitive material that this committee has got to deal with, even before anybody has been appointed, especially, I think, the chairman of the present committee, I think that there should have been some discussion as to the nature of this investigation, the kind of material that it would be dealing with. I would think that before people were even appointed to this committee, there should have been some understanding.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

(On request of Mr. GAIAMO and by unanimous consent Mr. Young of Georgia was allowed to proceed for 1 additional minute.)

Mr. GAIAMO. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of Georgia. I yield to the gentleman from Connecticut.

Mr. GAIAMO. Mr. Chairman, as a member of the original task force on creating a select committee, I met with many Members, including the present chairman of this committee and almost all of the Members who are presently members of the existing committee. We had very thorough talks of what the scope of the investigation would be of looking into alleged improprieties by members of the intelligence community. There were those discussions. It is quite clear—it is quite clear what the scope and purpose was to be before any Members were assigned to the committee.

Mr. YOUNG of Georgia. Then I stand corrected.

Mr. GAIAMO. And, the question of the suitability of any member on the present committee never arose—never arose until the very instant that there arose a conflict, that there arose a conflict with the present chairman of this committee.

The CHAIRMAN. The time of the gentleman from Georgia has again expired.

(On request of Mr. DELLUMS and by unanimous consent Mr. Young of Georgia was allowed to proceed for 2 additional minutes.)

Mr. DELLUMS. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of Georgia. I yield to the gentleman from California.

Mr. DELLUMS. Mr. Chairman, I thank the gentleman from Georgia, my distinguished colleague, and I reluctantly rise to challenge the basis of my distinguished colleague's arguments, but I must.

Let me first see if I can understand exactly what the gentleman is saying. First, the gentleman has suggested that he would not like to see a vote that would result in a referendum of any one or several persons who are presently members of the special select committee, if so I appreciate that thought by the gentleman.

The second argument that the gentleman proposes is that the integrity of the questions; this is, the ability of this House to investigate and come to the floor of the Congress with solutions in dealing with the intelligence community, outweighs any particular, single personality or individual. Is that correct?

Mr. YOUNG of Georgia. I think so.



Mr. DELLUMS. I would simply suggest to the gentleman that I would agree that the integrity of the question; that is, that we must investigate, evaluate abuses, wrongdoings, violations of constitution or charter, and come back with recommendations, but I would simply suggest to the gentleman that in attempting to address the integrity of the question, we should not in any way thwart the legitimate rights of any one individual.

Let me move with even greater candor. It is clear throughout this House, on both sides of the aisle, that the gentleman in controversy at this moment is the gentleman from Massachusetts (Mr. HARRINGTON), our distinguished colleague. All I am suggesting to the gentleman is that in his pursuit of protecting the integrity of the investigation, we should not in any way thwart the legitimate rights of any distinguished Member of this House to be challenged on legitimate grounds rather than surreptitiously being discredited by virtue of the fact that we could remove that person from this committee without an appropriate hearing on the floor of the Congress. That is my argument. On 99 percent of the issues, the gentleman from Georgia and I are in solid agreement on those, but I am diametrically opposed to his position here.

Mr. MITCHELL of Maryland. Mr. Chairman, I move to strike the requisite number of words.

(Mr. MITCHELL of Maryland asked and was given permission to revise and extend his remarks.)

Mr. MITCHELL of Maryland. Mr. Chairman, I take to the well to support the amendment. Since being in the Congress, I have seen a committee of the Congress perform well, this committee was accused of leaks to the press, committee members who were accused of having prejudged the subject, committee members were accused of having a bias one way or another over the subject matter that it was to investigate. I have seen that committee vilified, ridiculed, scorned, laughed at, and insulted by Members of this House. The committee that I am talking about, the committee of which I speak, was the House Judiciary Committee and its inquiry into impeachment. However, please remember that the committee performed in such a manner as to bring credit to every single Member of this House. That committee won the respect for this Congress from the people because it saw a job that had to be done and did it.

Let me go one step further. I think my colleague from California (Mr. DELLUMS) is absolutely right. The issue is one Congressman MICHAEL HARRINGTON.

And let me say to you, Mike, I pray to God that I will have the courage to do what you did, to move toward the highest level of your conscience and therefore benefit all of us.

But apart from that, let me try to speak to the merits of this particular amendment. What this amendment does is to prevent this House from slandering, smearing, impugning the motives of every single Member who serves on that present committee.

Unless we adopt the amendment offered by the gentleman from California, this House will have, in effect, tried every single member of the committee and without any sort of real investigation will have found them guilty of not being able to do the job mandated to be done.

If we do that, if we follow that procedure, all that we are doing is resurrecting the days of the McCarthy era when it was possible to smear and impugn and lie on people, distort their motives and discredit them so thoroughly that they became almost nonentities in a system.

I entreat the Members—I entreat you—to protect the rights and integrity of every Member who presently serves on that committee. I urge the Members, do not to destroy some of your colleagues in this senseless, needless way. I urge this House to overwhelmingly support the amendment.

Mr. TSONGAS. Mr. Chairman, will the gentleman yield?

Mr. MITCHELL of Maryland. I yield to the gentleman.

Mr. TSONGAS. I thank the gentleman for yielding. I would like to commend the gentleman for his comments. I think what he has done is to point out that the larger issue here is not the investigation of the CIA—the Church committee is doing that, and I think there is real question as to what we can contribute—the larger question is the behavior of a Member and his courage in the situation referred to where none of us know what we would have done in that situation.

Mr. Chairman, I would like to associate myself with the gentleman's remarks.

Mr. STEIGER of Arizona. Mr. Chairman, I move to strike the requisite number of words.

(Mr. STEIGER of Arizona asked and was given permission to revise and extend his remarks.)

Mr. STEIGER of Arizona. Mr. Chairman, I think the previous speaker has articulately and accurately nailed the issue down in this amendment. I asked for recognition to strike the requisite number of words, which I guess was really a subterfuge because I am opposed, strongly opposed, to the amendment for the very reasons that the gentleman articulated, in that this is indeed a referendum of behavior.

I am very, very sorry that the amendment was brought—I mean that very sincerely—because I feel the House is in a position in which the CIA and the investigation is secondary. What the author of the amendment has asked us to do very unfairly is to sanction or disapprove the actions of Members, about most of which none of us have any specific idea except from the publicity.

So I share the concern of my friend from Baltimore, the gentleman from Maryland (Mr. MITCHELL), that we would slander a Member out of hand based on minimal information.

On the other hand, I will tell my friend that to ask us to sanction the behavior that we know of and that we have heard of is again to place the House in a very unfair position, because this

indeed is not the place to hear or try this matter.

Mr. MITCHELL of Maryland. Mr. Chairman, will the gentleman yield?

Mr. STEIGER of Arizona. I yield to the gentleman from Maryland.

Mr. MITCHELL of Maryland. Mr. Chairman, I assume the gentleman has made reference to the gentleman from Massachusetts (Mr. HARRINGTON).

As I sat throughout these hearings, one thing has been made manifestly clear to me—whatever he did, whenever he did it, it was not within the purview of the proceedings of the committee. He has the right to do as he sees fit with reference to his conscience and to a higher authority.

Above and beyond that, the House has a remedy. I am not at all sure that the committee which will hear the Harrington issue is the proper remedy, but it is offered as a remedy.

Mr. STEIGER of Arizona. Mr. Chairman, my friend has stated his point well, but I will just tell my friend, the gentleman from Maryland, that I just do not agree it is that simple a matter.

If I may, I would like to explain to my friend what I think is the problem with this amendment. The gentleman from Massachusetts (Mr. HARRINGTON) is indeed the problem. The gentleman from Massachusetts (Mr. HARRINGTON) is indeed the issue in the minds of those who are concerned about the amendment.

My friend, the gentleman from Maryland, has stated he believes whatever the gentleman from Massachusetts (Mr. HARRINGTON) has done has no bearing on the committee. In the minds of those Members who are not on the committee and who have not been associated with the conflict therein, he has a great deal to do with it.

By this amendment this House is being asked to sanction the membership of the committee in advance and thereby sanction indeed the same kind of blanket amnesty, if you will, that so offended people in the case of Mr. Nixon. That is the view of this Member or that is at least the position this Member feels he is being placed in.

I will tell my friend that I am not alone in this position. Therefore, I will tell my friend further that I think the amendment is patently unfair to the House and to the gentleman from Massachusetts (Mr. HARRINGTON). That is my first point. I think it is patently unfair, because whatever is done here is going to be seen either as an approval or a disapproval of the gentleman from Massachusetts (Mr. HARRINGTON). I will tell my friend I think that is unreasonable.

By the same token, the gentleman cannot ask this House and its membership on a bipartisan basis to make a judgment in this matter with no more information than we have now.

Mr. MITCHELL of Maryland. Mr. Chairman, will the gentleman yield just briefly? The gentleman has been very patient with me.

Mr. STEIGER of Arizona. Certainly, I yield to the gentleman from Maryland.

Mr. MITCHELL of Maryland. Mr. Chairman, I just wish to point out to the gentleman that the mere fact that he



July 17, 1975

H 6983

used the words "blanket amnesty," and links those words to amnesty in Mr. Nixon's case, really buttresses my argument. What the gentleman is saying in effect is that somebody has already tried every member of the committee prior to any sort of investigation or any sort of official proceeding. That is why I support this amendment, because it will deny that kind of prejudgment by Members.

Mr. DELLUMS. Mr. Chairman, will the gentleman yield to me for a question?

Mr. STEIGER of Arizona. I yield to the gentleman from California.

Mr. DELLUMS. Mr. Chairman, let me ask a hypothetical question.

If one of the constituents of the distinguished gentleman from Arizona alleged crime on the part of the distinguished gentleman and that allegation appeared in the local newspaper, would the gentleman think it fair if the House of Representatives voted to remove the gentleman from the floor of Congress, precluding the gentleman from carrying out his duties as a Member of Congress, without due process?

Will the gentleman answer that question?

Mr. STEIGER of Arizona. Mr. Chairman, if the gentleman is asking: Would the allegation preclude me from participation in some sort of activity of the House? I will say again I do not think the House ought to be placed in the position of making that judgment regardless of how meritorious it might be or regardless of the lack of merit.

I will simply tell the gentleman that I do not want to be in the position of prejudging the so-called Harrington case. I am being put in this position by this amendment, and that, I will tell my friend, is what I think is patently unfair in the amendment presented by the author of this amendment.

The CHAIRMAN. The time of the gentleman from Arizona (Mr. STEIGER) has expired.

(By unanimous consent, Mr. STEIGER of Arizona was allowed to proceed for 1 additional minute.)

Mr. STEIGER of Arizona. Mr. Chairman, I have asked for the additional time not to engage in colloquy, but I want to make it very clear to my friend and colleague that, in fact, it is my earnest hope—and I know it is a baseless one—that the author of the amendment will withdraw it for the very reason which I have stated, because the author of the amendment is forcing people into the position of appearing to either sanction or reject the behavior of one Member in a very obtuse fashion. That is a very unfair position for the House to be placed in, and not to recognize that is a kind of sophistry which I do not think is a credit to the House.

Mr. KOCH. Mr. Chairman, will the gentleman yield for a question?

Mr. STEIGER of Arizona. Yes, I yield to the gentleman from New York.

The CHAIRMAN. The time of the gentleman from Arizona (Mr. STEIGER) has expired.

(On request of Mr. KOCH and by unanimous consent, Mr. STEIGER of Ari-

zona was allowed to proceed for 1 additional minute.)

Mr. KOCH. Mr. Chairman, will the gentleman yield?

Mr. STEIGER of Arizona. I yield to the gentleman from New York.

Mr. KOCH. Will the gentleman acknowledge the fact that when the gentleman from Massachusetts (Mr. HARRINGTON) was placed upon the committee, the information that the gentleman now brings up was a matter of public record and the gentleman did not protest at that time? Will the gentleman acknowledge that as a fact?

Mr. STEIGER of Arizona. I will say to my friend, the gentleman from New York, that I was not aware either of the information or, at the time, of any confirmation of it. I will tell the gentleman from New York that the focus of attention and the clear concern of this House and many others, including the gentleman from Massachusetts (Mr. HARRINGTON) himself, has been caused by the treatment he has gotten, which has focused new attention and given new meaning to it.

I am not questioning the legal situation with respect to what my friend, the gentleman from New York, has said. If my friend wishes to accuse me of being less than attentive to my duty at that time, I will stipulate to it.

The point is that what I am saying, and saying as sincerely as I know how, is that this amendment is unfairly asking the House really to render a judgment that it is not prepared to render, and that is very unfair.

The CHAIRMAN. The time of the gentleman from Arizona (Mr. STEIGER) has expired.

(On request of Mr. KOCH and by unanimous consent, Mr. STEIGER of Arizona was allowed to proceed for 1 additional minute.)

Mr. KOCH. Mr. Chairman, will the gentleman yield?

Mr. STEIGER of Arizona. I yield to the gentleman from New York.

Mr. KOCH. Mr. Chairman, the fact is that this House passed on that very question when the Speaker appointed the gentleman from Massachusetts (Mr. HARRINGTON) to that committee with other members.

I want to reiterate, the matter which the gentleman has raised now for the first time was a matter of common knowledge, known to the Speaker, known to the Members of this House, and did not in anyway make a difference at that time and ought not make a difference at this time because there is nothing that the gentleman from Massachusetts (Mr. HARRINGTON) did that violated the law.

Mr. STEIGER of Arizona. Again I would tell my friend, the gentleman from New York (Mr. KOCH), that that is not the way this amendment appears.

The appointment of the committee was a routine matter in which, as we normally do, we respected the Speaker's appointment.

I would simply tell the gentleman that I am sorry that the amendment is here. I am urging my friends and colleagues to vote against it on the basis that they

should not be asked to sanction activity that has been seriously questioned.

Mr. SISK. Mr. Chairman, I move to strike the requisite number of words.

(Mr. SISK asked and was given permission to revise and extend his remarks.)

Mr. SISK. Mr. Chairman, I think it becomes very evident why this is a bad amendment. Merely sitting here and listening to what has been said, unfortunately, seemingly, at least to my mind, distorts what the basic issue is here.

As the individual who introduced the first resolution to abolish this committee back over a month ago now, I want to make it absolutely clear that my intention at that time was to abolish the committee, period, and then, hopefully, to proceed as expeditiously as the Committee on Rules could, since it did have the jurisdiction, to create a permanent oversight committee in connection with our intelligence community.

The reason for the abolishment of the committee was the fact that it had ceased to function; in fact, it had never functioned to any basic extent. After a certain period of time had gone on, a great many discussions had been held, which many of us were familiar with, and it became evident in my mind that there was no way that that particular committee was going to achieve any substantial results.

Let me hasten to say here that I do not indict any member of that committee because some of my very best friends are on that particular committee, men whom I have worked closely with, men whom I know and appreciate. We are not here challenging the integrity, the patriotism or the loyalty of anyone, including the gentleman from Massachusetts (Mr. HARRINGTON) and other Members who from time to time may be mentioned. That is not the issue.

At the time that we held hearings in the Committee on Rules in reference to the initial resolution and in regard to the matter that we have here before us today, which is a substitute offered by the distinguished gentleman from Missouri (Mr. BOLLING) we had a number of Members appear and testify. The gentleman from Massachusetts (Mr. HARRINGTON) appeared, and testified at considerable length before the committee. The gentleman from California (Mr. DELLUMS) appeared and testified at length.

To the extent that anyone is being questioned or being challenged, I think it very well goes to their judgment. I have no doubt but what every member of that committee did those things which he believed to be right in his own mind.

I recall hearing my friend, the gentleman from Massachusetts (Mr. HARRINGTON) make a statement with reference to what he believed to be his duty in connection with the revealing of matters where an agency of the Government was involved in what would be violations of law. I firmly believe that the gentleman from Massachusetts (Mr. HARRINGTON) was totally sincere in doing what he in his conscience believed to be right. I totally disagree with his judgment in the

matter, because it seems to me—and I am not expressing any thought here that I did not attempt to express at the time the gentleman from Massachusetts was before our committee—that neither the gentleman from Massachusetts nor I, nor anyone else, I believe, has the right to sit as judge and jury in matters of this kind, where we have very strict rules of procedure to go by, as we have in connection with the House of Representatives, as we have in connection with procedures and in connection with intelligence matters, and so on.

Let me say that the testimony offered before the Committee on Rules dealing with this matter caused me some concern because the charge was made very flatly that the fault was primarily that of the Speaker.

Those who made that charge before the Committee on Rules will have an opportunity if they wish to rebut anything that I have said here. But as I understand—and the record is a public record—that he made a mistake, and that he even was warned ahead of time by virtue of the fact that he appointed the distinguished gentleman from Michigan (Mr. NEDZI) to be chairman of this committee.

Let me make it unalterably clear to all my friends on the committee, as well as other Members, that I for one—and I am sure many of you will challenge this as a matter of judgment or disbelieve me—but I again say as individuals we have to use such judgment as we have, that I for one would not have voted to create this committee had we not been assured ahead of time in the testimony that the gentleman from Michigan (Mr. NEDZI) would be the Chairman.

I want to make that unalterably clear. The Members can challenge my judgment, maybe it was wrong.

The CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent, Mr. SISK was allowed to proceed for 5 additional minutes.)

Mr. SISK. Mr. Chairman, let me go back for a moment to the point at which this issue first was raised in connection with the investigation of the CIA. And I hope my friends on the Republican side will bear with me, because they were not present at that time.

It was raised in a Democratic Caucus in which the gentleman from Massachusetts proposed a resolution to investigate the CIA. After some brief discussion, the gentleman from Michigan (Mr. NEDZI) arose and offered a substitute in the Democratic Caucus, and that resolution, that substitute offered by the gentleman from Michigan (Mr. NEDZI) was overwhelmingly adopted. I do not recall the exact vote. I am not certain it was a recorded vote, but it was substantially adopted, and that was to refer this matter to the Democratic Steering and Policy Committee.

A great many of us hoped—and I, for one, voted for the referral of this matter in line with the gentleman's resolution to refer it—that a great deal of care and concern will be given before we moved on this matter. I think, to some

extent reflected in that, again there was never a question certainly in my mind, and I doubt seriously in the minds of any Democratic Member, of the integrity of the gentleman from Massachusetts (Mr. HARRINGTON) or of his loyalty, or of his patriotism, or anything in connection with it. But there could have very well been questions of matters of lack of confidence in his judgment in handling such a committee. I think there is no point, it seems to me, in pussyfooting around about this situation. To a large extent, as I say, I deplore the fact that this amendment was offered, even though by one of the best friends that I have in this House, and a longtime personal friend and colleague, the gentleman from California (Mr. MOSS). But I think it was unfortunate because to some extent, as the gentleman from Maryland and the gentleman from Arizona in their colloquy pointed out, it really puts every Member in a position, it seems to me, where it could become a trial to these people.

The intent of the Committee on Rules, as the matter developed, is to hopefully be able to proceed to complete as quickly as possible a reasonable investigation of this matter and to bring it to a close with a group of Members which the Speaker of the House shall select.

I do not agree with a good deal of the criticism that I have indicated already was made of the Speaker, but then again that is a matter of judgment. So I would hope and urge my colleagues to vote down this amendment because let me say to them, if I understand the English language at all, and if I understand what Members have been saying to me for the past months because of my involvement in a matter where I introduced the original resolution, and I say this with considerable deliberation, if, in fact, the total membership of this committee were reappointed, it would not operate and, in my opinion, there would very well shortly be another resolution to abolish the committee and in all probability it would be abolished. That is my belief. Wrong it may be, but I would hope and trust that we might proceed expeditiously to vote down this amendment and to proceed with permitting the appointment of what we hope will be a number of new faces on that committee.

I do not and will not interpret that as any reflection upon good personal friends of mine who at present are serving on it—my good friend right here, the gentleman from Illinois, whom I served with on the Committee on Rules. One of the best friends I have in the House is on that committee. I see my good friend, the gentleman from Connecticut (Mr. GAIANO) with whom I worked very closely in connection with a whole variety of activities. I have a great deal of respect for his integrity and knowledge and understanding.

I see my friend, the gentleman from Ohio (Mr. JAMES V. STANTON) and others—the gentleman from California (Mr. EDWARDS) and so on.

I am not here indicting any one of these men. I am hopeful, though, that the Speaker of the House will see fit to

appoint to that committee men who are objective enough and who have not gotten themselves so involved.

The CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent, Mr. SISK was allowed to proceed for 2 additional minutes.)

Mr. SISK. Mr. Chairman, I hope the Speaker in his deliberation and in his judgment will appoint to this 13-man committee, assuming it should pass, men who have not become emotionally involved to the extent that their objectivity is in question. We all sometimes get up-tight. I sometimes get up-tight. I have seen that sometimes in statements before our committee. I have great respect for the gentleman from California (Mr. DELLUMS) and the gentleman from Massachusetts (Mr. HARRINGTON) but they made a most impassioned plea which caused me some concern as to how deeply they may have become involved emotionally and how objectively they might be able to look at these problems. But that is beside the point, and if the Speaker sees fit the gentlemen may be reappointed, but I hope we do wind up with 13 men and women—and after all we do not want to bar any women—who will do an outstanding job.

Mr. DELLUMS. Mr. Chairman, will the gentleman yield to me? He mentioned my name.

Mr. SISK. I mentioned a number of names and in view of that fact I am not going to yield. I mentioned the gentleman from Massachusetts and the gentleman from Connecticut and others.

I think my time is up. I am going to conclude because I think I have taken enough time.

I urge the amendment be voted down.

Ms. ABZUG. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in support of the amendment. I have discussed this issue, as some Members know, in the course of this debate on the floor and proposed the essence of this amendment for a very special reason, most of which has become quite clear in the debate here today. It was my thought that the Members of this House recognized that and should not permit ourselves to make judgments about individuals on the committee, that they were duly appointed by the Speaker and they were duly competent men.

I indicated the other day that the men—not women, it is true, and it might have made it more interesting if we had some variety—but in any case they were duly appointed and duly constituted members and all are duly competent persons. A deadlock arose on the committee. Some people say it was because the chairman was unwilling to investigate. Some say it was because others were too vigorous in what they wished to investigate or to expose.

The chairman came in and offered his resignation. The other members of the committee were prepared to act despite that. This House rejected the resignation. And yet the chairman who had been reinstated in that way did not act and there was a deadlock.

It seems to me if one wanted to make

July 17, 1975

H 6985

certain there was a vigorous investigation—and we have all agreed that we want that—there had to be some reconstitution of the committee. The normal way would be to enlarge it. The way is not first to put on trial members of the committee, and I say this bearing in mind that but for our not having been appointed we might have been one of the committee now being put on trial.

It seems to me despite what is being said here, what we are being asked to do is to put these members on trial. I believe the main issue is that many people here wish to punish the gentleman from Massachusetts (Mr. HARRINGTON) for what I and others believe to have been an important act of conscience and courage. That is what we are seeking to do. That is what many, in seeking to abolish and reconstitute the committee, are trying to do.

I would say simply this. What has this led to? It has led to the following. On the floor of this House some Member got up the other day and criticized the behavior of the gentleman from California (Mr. DELLUMS), and criticized the behavior of the gentleman from Wisconsin (Mr. KASTEN), and criticized the behavior of the gentleman from Ohio (Mr. JAMES V. STANTON). We are all Members of the Congress of the United States. This is not how we act toward our peers.

Why do we not simply use a resolution of expansion? Why should we condemn this one or that one. We disagree with this one or that one and that is why we want to reconstitute the committee. Well, that is not our right.

Members presently on the committee will continue if they choose and those who are not interested in continuing will not serve and the balance left will be chosen by the Speaker. That is the only fair way to reconstitute a committee which is presently deadlocked. We have no right to make a judgment on any member of this committee other than competence and no one has raised that. Without the other results have occurred. This resolution has even resulted in my colleague, the gentleman from Georgia, saying we did not question whether the persons who were put on this committee are the right ones to deal with the material they have to deal with in this investigation.

Since when do we question the competence, the ability, the conscientiousness, the capability or the devotion or loyalty of any member of a committee? This is not our responsibility. We only have to be certain that the individual is prepared to function.

I say that the resolution as it comes before us is just forcing us to make judgments about the individuals on this committee. It is forcing the Speaker to make judgments about the individuals on this committee when he fails to appoint or reappoint those who are presently on the committee. I say this is inappropriate for us.

We are all in the same identical position as every other member on this select committee. If anyone on this committee thinks as, indeed, the Committee on Armed Services thinks, that someone is acting beyond their responsibilities or

their duties or their oath of office, then they can place this before an appropriate forum to determine it, as was done with the gentleman from Massachusetts (Mr. HARRINGTON).

I think the gentleman from Massachusetts (Mr. HARRINGTON) recognized that we were all being asked to participate in covering up illegal activities and he refused to do that. I disagree that he should be censured for it, but those who think he should be will have another opportunity to say so. HARRINGTON is entitled to a hearing. Do not use this resolution for the purpose of expressing a judgment about this. This would be an unfair way. Everybody is entitled to his or her day in court if, indeed, any wrongdoing has taken place and, indeed, none has. MICHAEL HARRINGTON has shown enormous leadership and courage. The question is simply a matter of how would we feel if we were on that committee.

The CHAIRMAN. The time of the gentlewoman from New York has expired.

Ms. ABZUG. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

Mr. GOODLING. Mr. Chairman, reserving the right to object, I do that after this extension, I will object, simply to bring the Congress together to get the job done. It is my opinion we are doing more damage than good. I cannot stop the damage, but I can limit the amount of time in which the damage is done.

The CHAIRMAN. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Mr. YOUNG of Georgia. Mr. Chairman, will the gentlewoman yield?

Ms. ABZUG. I yield to the gentleman from Georgia.

Mr. YOUNG of Georgia. Mr. Chairman, I agree, everyone should have their day in court, but I hope that we do not constitute this in any way as a day in court for any member of this committee. That is the reason I think the amendment is inappropriate.

Ms. ABZUG. Mr. Chairman, it does just the reverse. It says every member of this committee is competent to serve on it. There is no evidence to the contrary. It simply says the Speaker should appoint an additional number of persons because there is a deadlock and if any person desires to remain on the committee, that person can remain and if that person desires to remove himself, that person can remove himself; but we should not participate in removing any member from this committee. That is the effect of what we are doing when we pass the resolution without it being amended.

It also forces the Speaker to make a judgment as to the members on this committee. There have been many charges and countercharges which are unproven and which an individual has a right to take up in a proper forum. This committee resolution is not the proper forum. Let us not kid ourselves about this resolution. It inherently forces a judgment that none of us should be placed in a position to make. I may not agree with the way the gentleman from Michigan (Mr. NEDZI) has conducted himself, and I do not. I do not agree that his

resignation should have been rejected by this body. I still say even the gentleman from Michigan should make a decision whether he can remain on this committee, just as the gentleman from Massachusetts (Mr. HARRINGTON) has a right to make a decision to remain on the committee. The activities of both these gentlemen were before us at the time they were appointed to their respective positions on this committee. I believe that those who do not recognize that we ourselves are making judgment, even though we are not in control of it, are making a big error. All this amendment says is there should be some change in the committee because it is deadlocked.

This is an important investigation. It must go forward, but the Members of this House, not one of them—not the gentleman from Massachusetts (Mr. HARRINGTON)—should be sacrificed by making believe that we are not being asked to make a judgment on him in this way.

I beg the Members not to do that, because each Member could be in the exact same position and this would be many.

Mr. BOLLING. Mr. Chairman, I seek to see if we could limit time in some reasonable fashion. I would propose by unanimous consent that all debate on this matter conclude in 40 minutes, with the last 5 minutes reserved to the committee.

The CHAIRMAN. What matter is the gentleman referring to?

Mr. BOLLING. On the whole matter of this amendment and all amendments thereto.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

Mr. DE LA GARZA. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. PEYSER. Mr. Chairman, I move to strike the last word.

(Mr. PEYSER asked and was given permission to revise and extend his remarks.)

Mr. PEYSER. Mr. Chairman, I was not going to take the floor on this issue. I have listened carefully to debate and have determined to vote against this amendment, but my friend from Arizona, when he took the floor, made his case quite clear in his mind, that a vote against this amendment was a vote against the members on the committee.

I disagree with that because I do not view the issue here as either the committee or its makeup. I think very honestly that if the CIA itself had been trying and aiming to confuse the whole issue here, it could not have introduced a better amendment than the one that was introduced.

This amendment, as far as I am concerned, is simply striking at the Bolling resolution that is going to let the Speaker create a new committee which can, as I understand it, include any of the members of the existing committee. If any Member wants to correct me on that, I will be glad to listen right now. The Speaker, as I understand it, has the right of appointing anybody to that committee, and so I do not view my vote of no, and I do not think anybody ought to



July 17, 1975

view his or her vote of no, as a vote against the gentleman from Massachusetts, MIKE HARRINGTON, or anybody else. The gentleman from Massachusetts is a friend of mine, and I certainly hope he remains a friend of mine, but my vote has nothing to do with him or any other member of the committee.

Mr. STEIGER of Arizona. Mr. Chairman, will the gentleman yield?

Mr. PEYSER. I yield to the gentleman from Arizona.

Mr. STEIGER of Arizona. Mr. Chairman, was the gentleman suggesting that the gentleman from California (Mr. Moss) was the CIA contact man in the House? Was that the gentleman's intent?

Mr. PEYSER. I thank the gentleman for his comments. I was not making that suggestion.

Mr. MOSS. Mr. Chairman, will the gentleman yield?

Mr. PEYSER. I yield to the gentleman from California.

Mr. MOSS. Mr. Chairman, I think only the gentleman from Arizona can possibly have reached that conclusion.

Mr. PEYSER. I thank both gentlemen for their comments. I seem to have a wonderful ability of getting caught between two people who want to get at each other when I am up here. I would hope that we can act on this measure, only viewing it for what it is, an amendment that is trying to amend the Bolling resolution, that says the members who are on the committee have a right of staying on the committee. I think that if we agree with that, that is fine, but it has nothing to do with saying that someone on the committee did or did not do his job or that he is innocent or guilty of anything.

If the Members vote against the amendment, as I am going to do, they are simply saying that they do not agree with the amendment of the gentleman from California to the Bolling resolution and the action that it calls for is the right way to proceed. I refuse to get caught in this situation that says that I am voting somebody guilty or innocent because I am absolutely not, and I do not believe any of us should be in that position.

Mr. DE LA GARZA. Mr. Chairman, I move to strike the requisite number of words.

Mr. DE LA GARZA. Mr. Chairman and my colleagues, I take this time to try to see if we cannot get back to the issue of the amendment before us, and I do so because I have had an experience, and I am personally aggrieved that so many of my dear friends on this side are speaking now of a matter of right, that an individual has the right to remain on a committee. Those of us who have served on committees on our side are the creatures of the caucus and then generally of this House, and no Member has a right to serve or not to serve on the committee because of his demeanor or whatever one might bring up.

Ask the gentleman from Texas (Mr. POAGE) if he had a right to remain as chairman of the Committee on Agriculture.

Ask the gentleman from Louisiana (Mr. HEBERT) if he had a right to remain as chairman of the Committee on Armed Services.

Did the Members worry about their integrity, about what it would do to them in their districts, about their reelection? The Members did not.

I say to my dear friends—and I hate to bring this out—there was something called the Hansen committee in the caucus of the Democrats to which I had the honor to have been named by the chairman of the caucus because of no other attribute than that I was next in line. Without informing me, I was taken off of that committee. When I confronted the chairman later, when I had read in the paper that someone else had been appointed, he said, "You would not attend the meetings."

"Mr. Chairman," I said, "I did attend the meetings. There has to be some other reason why I was taken off."

The chairman then informed me that I had been taken off because he had to name a black or a woman, and that was the only reason that I was taken off.

And none of my friends from my Democratic caucus came up to my defense about right or not right. So do not talk to me today about the right of anybody.

My friend smiles. And they smiled at me when I got taken off of this Hansen committee. But I was personally aggrieved. It could have been detrimental to me in my reelection. Fortunately, it was not, because I had no opposition. But none of my friends here worried about that.

So I say to the Members that we should let the House work its will, and no one has a right here, not in the caucus and not in the House.

The whole issue of this committee, the impasse and everything, I am not discussing. I am only discussing this amendment. Does a Member have the inherent right as a Member of this House to name himself as chairman? No, no, no.

Mr. GIAIMO. Mr. Chairman, will the gentleman yield?

Mr. DE LA GARZA. I yield to the gentleman.

Mr. GIAIMO. I thank the gentleman. I admire the gentleman's thoughts about whether or not a Member has an inherent right, and I know there are procedures for removing a Member, and it has been done in the committees with regard to chairmen and others. But is the gentleman suggesting then, that this is, in fact, an antiremoval amendment of the gentleman from Massachusetts (Mr. HARRINGTON), or someone else?

Mr. DE LA GARZA. I have not mentioned any names. I am not saying anyone is being removed. The resolution speaks for itself. I did not get up to discuss the resolution. I got up to try to refute my colleagues up here who keep talking about a right, an inherent right. One of my colleagues said, "You might be in the same spot some day." I have been there. I have been there. And if the Members want to vindicate me, they will vote against this amendment. Now is their chance.

Mr. BOLLING. Mr. Chairman, I would like to see if we can set a limitation on time, and I want to be entirely reasonable about this.

Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 40 minutes, with 5 minutes at the end reserved for the committee.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

Mr. ASHBROOK. Mr. Chairman, reserving the right to object, I wonder if we can make the agreement or at least have the understanding that no time will be transferred, and that only those Members who really desire to speak will be recognized?

The CHAIRMAN. The Chair will inform the gentleman that the Chair cannot rule on that.

Mr. ASHBROOK. Mr. Chairman, further reserving the right to object, I will object to any request for transfer of time. I will not, however, object at this moment.

Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The CHAIRMAN. Members standing at the time the unanimous-consent request was agreed to will be recognized for approximately 1½ minutes each.

#### PARLIAMENTARY INQUIRY

Mr. RYAN. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. RYAN. Mr. Chairman, is it too late to object to the unanimous-consent request?

The CHAIRMAN. The answer is: "Yes."

Mr. RYAN. I thank the Chairman.

The CHAIRMAN. The Chair recognizes the gentleman from California (Mr. RYAN).

Mr. RYAN. Mr. Chairman, I regret the fact that I only have this length of time to speak, because I believe this whole discussion has been jarred so far off from the real issue it is almost useless to take this time.

This is a very simple matter. The activities of the CIA and of other intelligence agencies have come under question in this country and before this House. The question is whether this House should look into this matter or whether we should leave the matter to the Senate alone. The answer to that was given last week, by a vote of this body and the answer was: Yes, we should look into it.

Then the question arises: How shall we do it? Shall we go over this matter with the last committee we had, or shall we begin all over with a new committee?

We have heard for some time in this House arguments about whether we are for or against individual Members. If this continues, any investigation by this House is absolutely useless, because it will become a question of the right fighting the left and the left fighting the

July 17, 1975

H 6987

right; it will become a question of whether we should get into the question of prior members conduct or not and whether the activities involved were legal or illegal.

The fact is that we need to have some kind of general consensus by a committee that this House can accept, by a group that starts from scratch and starts anew.

Mr. Chairman, that is the reason I oppose this amendment.

If I were asked to vote for or against the actions taken by the gentleman in question, the gentleman from Massachusetts (Mr. HARRINGTON), I would vote to absolve him of what he did, because I do not think he did anything wrong.

In the same way, I would vote to absolve the gentleman from Michigan (Mr. NEDZI). But that is not the purpose of the resolution. It is to investigate the intelligence community, not convict or vindicate individual Members.

The CHAIRMAN. The Chair recognizes the gentleman from Connecticut (Mr. MOFFETT).

(Mr. MOFFETT asked and was given permission to revise and extend his remarks.)

Mr. MOFFETT. Mr. Chairman, I rise in support of the amendment offered by the gentleman from California (Mr. Moss).

I hope that we will keep in mind the public perception of this Congress. We do not really know, none of us knows, what the public wants on this particular issue, but we do know something about the public perception of this situation.

Yes, we might say it does not reflect on any individual Member and perhaps we will be all right back home, but we do know that the public has quite a negative opinion of what we have been doing here in general.

I think all of us are concerned and legitimately concerned about that. We also know that the public has seen on this issue a committee with oversight responsibility that did not do the job that a special committee was created, that there was a fight within that committee, that the chairman who, I believe, had a conflict of interest, was reconfirmed, for lack of a better word, and that now we are in the middle of another fight on the floor in which we seek to dismember the committee.

The public also knows that there have been illegal bombings in Cambodia, embassy break-ins, disruption of peace groups, opening of mail illegally and the Chilean intervention without nearly as much attention given to incidents—those gross illegalities that the Congress knew or should have known about—as has been devoted to an alleged disclosure of such illegal action.

I think that what the public is seeing here is a very bad precedent if we do not adopt this amendment, a bad smell of a witch-hunt and a bad impression on the public.

We have been called the aggressive 94th Congress. Not many people believe that anymore. We have been called a veto-proof Congress. We have been called the do-nothing Congress.

I know that the gentleman from Arizona agrees with that, but I know that none of us want the label of the cover-up Congress.

Mr. Chairman, I think that is where we are headed if we do not adopt the amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Connecticut (Mr. GIAIMO).

(Mr. GIAIMO asked and was given permission to revise and extend his remarks.)

Mr. GIAIMO. Mr. Chairman, I rise in support of the amendment.

I think it has been clearly identified as the Harrington amendment, as to whether or not the gentleman from Massachusetts should serve on this committee.

As I said on an earlier day, I do not wholly agree with the gentleman from Massachusetts (Mr. HARRINGTON). There are many areas in which we disagree. However, I find it very offensive that we move in this way to challenge the right of a Member to sit on a committee.

I recognize that this is not the purpose of some members of the Committee on Rules or of others, but I do know that this is inherently what has been the issue in this debate. This debate which for many reasons, questions in the House not whether or not the intelligence agencies of the United States may have in some way violated the law and infringed on the rights of American citizens, but instead of that, is used as a vehicle by those who would divert us from that investigation. Instead they divert us from that by charging that Members of Congress may have acted improperly and may have spoken on the floor of the House or elsewhere and informed the people that a possible crime had been committed by some governmental agency.

How reminiscent of other recent events in American history that is.

The CHAIRMAN. The time of the gentleman from Connecticut (Mr. GIAIMO) has expired.

The Chair recognizes the gentleman from New Jersey (Mr. MAGUIRE).

Mr. GIAIMO. Mr. Chairman, will the gentleman yield?

Mr. MAGUIRE. I will be happy to yield to the gentleman from Connecticut.

Mr. GIAIMO. Mr. Chairman, I suggest that we not allow this to happen. I suggest that if the gentleman from Massachusetts (Mr. HARRINGTON) has violated any rules or laws of the House, he be challenged in a proper place, but that this is not the place to do it. His right to serve on this committee should have been questioned when he first went on it and not months later.

I find something else very offensive here, and I must become political for a moment, if I may. That is the questioning of the right of any Democratic Member of this body to serve on any committee. I think the right of a Democratic Member to serve on this committee should be decided by Democrats in this House, and there has been altogether too much involvement by the minority party, the Republican Party, in a matter

which should have been the responsibility of the Democratic Party to determine, rather than to have done it in this way.

This could be the precedent for many other dangerous situations which could confront us and certainly which could confront my friends in the minority. Rest assured that there will be a time when they will have this type of dispute and would wish those of us in the majority to absent ourselves.

I will say to my friend, the gentleman from California, that he surely would not want us helping to resolve it for the minority, even though we might be most happy to do so.

Therefore, I say, in simple fairness, let us get on with the business of this committee. It has fiddled and done nothing since February. Let us get on and show the American people that this House can do something, can conduct an investigation, and let us be fair to the gentleman from Massachusetts (Mr. HARRINGTON).

Mr. MAGUIRE. Mr. Chairman, I wish to associate myself with the remarks of the gentleman from Connecticut (Mr. GIAIMO), and I urge the adoption of the amendment.

The CHAIRMAN. The Chair recognizes the gentleman from California (Mr. DELLUMS).

(Mr. DELLUMS asked and was given permission to revise and extend his remarks.)

Mr. DELLUMS. Mr. Chairman and members of the committee, the gentleman from California thinks that in the last hour or so he has seen a great deal of dust covering, where we confuse the issues. A great American, Frederick Douglass, once said that dust covering is an activity engaged in by those in pursuit of victory, not of truth.

The gentlewoman from New York, whom I think is in pursuit of the truth, has spoken eloquently and precisely as to what the issue is here. We should not in any way be engaged in trials of any of the Members who have served on this committee. The only fair and equitable thing to do is to reappoint all of the various members of the original committee back to the committee. If the Members want to expand the size of the committee, then they can do so. We should also allow those Members who do not wish to serve on the committee to leave the committee. No one Member of the House, even my distinguished colleague, the gentleman from California (Mr. SISK), has a right to remove my privilege. We both represent districts of some 464,000 constituents. His constituents elected him and my constituents elected me, and I presume that neither one of us could get reelected were we to change our respective districts.

None of us have any right to try each other on the floor of the Congress.

I say that in fairness, with a sense of equity and with the desire for the pursuit of truth, that we should pass this amendment, and allow all of the Members to return back to the committee who were members of it. And if the gentleman from Michigan (Mr. NEDZI) or the

H 6988

## CONGRESSIONAL RECORD—HOUSE

gentleman from Massachusetts (Mr. HARRINGTON) or the gentleman from Connecticut (Mr. GIAIMO) or any other member of that committee seeks to remove himself from that committee, or if the other Members desire to serve, then I say give us the right and privilege to do that. But I repeat that the Members have no right to try us on the floor of the House without due process.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio (Mr. ASHBROOK).

(Mr. ASHBROOK asked and was given permission to revise and extend his remarks.)

Mr. ASHBROOK. Mr. Chairman, I think this very episode signifies and exemplifies just what is wrong with this body. I think it is also a good example of what the public perceives to be wrong with this body. The Congress that represents itself to be able to answer everybody's problems throughout the country now finds itself completely inadequate when it comes to its own problems. This special investigating committee has been a problem.

I am sorry the gentlewoman from New York (Ms. ASZUE) is not on the floor. I was absolutely shocked when I listened to the gentlewoman, because she totally reversed the arguments she has made over the years. She absolutely swept them under the rug in this particular instance.

She spoke in terms of the old buddy-buddy system in Congress she talked about the club approach—"let us not look into each other" arguments approach which she so often discredited before today's debate. The "everybody has the right to set their own standards," approach. The "every Member has the right to do what he wants" approach. She ratified this old guard, "we all look the other way" attitude the young reformers have rejected.

All these attitudes are what the public perceive to be wrong with this body.

After I listened to my colleague from New York talk of the club approach, I remembered a few years ago when this Member was raising questions about a committee chairman regarding non-existing staff people on the payroll of my committee, I was told "No, no, do not do that. The chairman is all right. Do not question what he is doing."

Well, I thought that is what we were getting rid of, but it sounds like the arguments today are leading us in the opposite direction: Let us not look into all of our own problems, let us just sweep them under the rug.

The CHAIRMAN. The Chair recognizes the gentleman from California (Mr. MILLER).

(Mr. MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. MILLER of California. Mr. Chairman, I take the floor because I am truly disturbed by the discussion I have heard on the floor today; because I think my own worst fears and the worst fears of many others have been realized because of this resolution, in the way it is being handled. We have heard that the motives of some of the committee members have been questioned, and I am disturbed by

this. I heard earlier that perhaps the gentleman from California (Mr. DELUMS) could not serve on this committee because he was impassioned, he was over-enthusiastic; that also the gentleman from New York (Mr. STRATTON) could not serve on the committee, and the gentleman from Connecticut (Mr. GIAIMO) could not serve on the committee, and the gentleman from Massachusetts (Mr. HARRINGTON) could not serve on the committee. Let me tell the Members that I want impassioned people on this committee. I want them as impassioned and as zealous in the protection of our liberties as those people they are investigating, who have been alleged to have violated those liberties, because I have seen the work of those who violate our liberties and our civil rights, because they too are overzealous in trying to restrict our freedoms. I say that our country cannot stand that sort of activity.

So, Mr. Chairman, I would hope that whoever serves on this committee, while I believe it should be the same committee, I hope that they can and will do their best to protect those liberties, because I think that this is the most important charge that they can have. I think that is the most important thing we can do. I think that what we have seen as a result of this resolution is a derogation of many Members of this House without base, based upon innuendo, based upon slander, and I think it has been very detrimental to this House in the public eye. I think that this committee can bring great respect to this House and can bring great trustworthiness by the American people in the democratic process, but we cannot now start selecting Members of this House who can serve and who cannot serve because they are overzealous, because they are enthusiastic, because we are talking about the fundamental rights of people in this country.

The CHAIRMAN. The time of the gentleman has expired.

The Chair recognizes the gentleman from Maryland (Mr. BAUMAN).

Mr. BAUMAN. Mr. Chairman, I yield back my time.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois (Mr. McCLODY).

(Mr. McCLODY asked and was given permission to revise and extend his remarks.)

Mr. McCLODY. Mr. Chairman, I think the House has a legitimate role in the establishment and the operation of the Select Committee on Intelligence. An impasse has been reached on the other side of the aisle. I have not involved myself in that impasse.

I think the gentleman from Missouri (Mr. BOLLING) has brought forth a logical, workable solution under which this House of Representatives can exercise the authority that it should be exercising. I feel strongly that we do need intelligence agencies and a strong intelligence community. I agree that this is essential for our own national security. I agree also that the rights of individuals should not be abused or denied because of excesses or illegal actions of any intelligence agency.

I think that this select committee

should fulfill its role of investigating all aspects of this subject, with due protection to the agencies themselves, with due protection to the individual constitutional and legal rights of all, and without any conflict of personalities wrecking the opportunity for our carrying out our legitimate prerogatives.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The Chair recognizes the gentleman from Connecticut (Mr. DODD).

(Mr. DODD asked and was given permission to revise and extend his remarks.)

Mr. DODD. Mr. Chairman, I would like to associate my remarks with those of the gentleman from California (Mr. MILLER) and the gentleman from Connecticut (Mr. GIAIMO).

I would like to point out to the Members of this body that there is only one issue facing us in this particular amendment. The issue is clear, and we all know what it is. The issue revolves around the propriety of certain alleged actions of a Member of this body, specifically, the gentleman from Massachusetts (Mr. HARRINGTON).

If the Members of this body should decide that the actions of the gentleman from Massachusetts (Mr. HARRINGTON) deserve investigation, then so be it. Let the House work its will and proceed. But to deny the gentleman from Massachusetts (Mr. HARRINGTON) the opportunity to defend himself, or to deny an opportunity for a full hearing of this issue, is a backdoor, backhanded censurship of a Member of this body. A vote against the amendment by the gentleman from California (Mr. MOSS) will be tantamount to such a backhanded censorship of Mr. HARRINGTON.

I think the Members ought to clearly understand that when they vote on this amendment, they will be voting on the propriety of alleged activities of a fellow Member without according to that Member a most basic and fundamental guarantee—the presumption of innocence until proven guilty.

I would urge the Membership to support this amendment.

The CHAIRMAN. The time of the gentleman has expired.

The Chair recognizes the gentleman from New York (Mr. KOCH).

(Mr. KOCH asked and was given permission to revise and extend his remarks.)

Mr. KOCH. Mr. Chairman, there are very few votes that come before this House that can be deemed votes of conscience in the classic sense—very few, perhaps 2 or 3 a year. This happens to be one of them.

We really cannot destroy the gentleman from Massachusetts (Mr. HARRINGTON). In his own district he is a hero, and if this vote were to be adverse, he would be a hero in the country. But the fact is that we can destroy the integrity of the Congress if we do not vote to support this amendment. I say that because I believe that the gentleman from Massachusetts (Mr. HARRINGTON) has done nothing illegal. And we know that. Indeed other Members, I have been told,



have done exactly what he has done without any questions of propriety being raised.

The chairman of one of our distinguished committees has stated that he has on a number of occasions refused to be bound by secrecy classifications made by the executive branch and in pursuit of his duties has made public classified information. He said that the executive branch when it classifies material can only impose that classification on members of the executive branch itself and cannot bind Members of Congress.

My friend, MICHAEL HARRINGTON, performed his obligations as a Member of Congress to uphold the Constitution by bringing to the attention of the Congress and the American public, acts of illegality performed by the executive branch. I would hope that we would all, when faced with a similar situation, perform our obligations as well.

So if we are going to cast a vote of conscience—which this one is—I do not think we have any alternative but to support this amendment.

The CHAIRMAN. The Chair recognizes the gentlewoman from New York (Ms. HOLTZMAN).

(Ms. HOLTZMAN asked and was given permission to revise and extend her remarks.)

Ms. HOLTZMAN. Mr. Chairman, I rise in support of this amendment because I think the issue is a very simple one. I do not think the issue is the gentleman from Massachusetts (Mr. HARRINGTON). I do not think the question is whether what he did was right or wrong. I think the issue is one of due process and of fair play.

Somebody said the House of Representatives has no right to censure or punish or discipline Members of the House. I disagree. But I think it has to be done at a proper time and place.

I think the integrity of the House is involved here. This amendment permits each member of the present Select Committee on Intelligence to serve on the new committee. If we do not adopt this amendment we will have stigmatized those members of the select committee who are not reappointed and we will have done so without giving them a fair hearing. It seems to me that is unworthy of the House of Representatives. Surely we ought to afford all Members a right to a hearing and to defend themselves and to do it in an appropriate time and place.

I urge the House to follow its best traditions and support this amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Montana (Mr. BAUCUS).

Mr. OBEY. Mr. Chairman, will the gentleman yield?

Mr. BAUCUS. I yield to the gentleman from Wisconsin (Mr. OBEY).

I thank the gentleman from Montana.

Mr. OBEY. Mr. Chairman, first of all I want to associate myself with the remarks of the gentleman from Connecticut (Mr. GIAMMO).

Let me say this amendment institutionally has problems, I know. Some say it is impractical. But on balance I am going to support it because I am not going to accept without challenge any

action, the practical result of which will be to penalize an individual for doing in this instance what Congress did collectively last year on impeachment, namely, to strip away the inappropriate use of terms like "national security" and "secret" in order to reveal truth.

I may disagree with some specific techniques used by the gentleman from Massachusetts, MICHAEL HARRINGTON, but on balance I honestly believe his revelations about the CIA have done the country more good than bad.

I voted against the resignation of the gentleman from Michigan, Mr. LUCIEN NEPZI. I did it not to be practical but because I have confidence in the gentleman from Michigan (Mr. NEPZI). I disagreed with those who said the gentleman from Michigan (Mr. NEPZI) should not serve because he did not announce publicly what he had learned about the CIA.

The CHAIRMAN. The time of the gentleman from Montana has expired.

The Chair recognizes the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Chairman, I do not think an individual has an obligation around here to always be a hero. I think he has an obligation to use his best judgment and I think that is what the gentleman from Michigan, Mr. LUCIEN NEPZI, did. Some perhaps might have acted differently. Who knows. But I give him credit for and have confidence in his judgment and his integrity.

But it seems to me if some here feel the gentleman from Massachusetts, Mr. MICHAEL HARRINGTON's action was wrong, then the place to challenge it under the normal rules and procedures of this House is first of all not here, it is in the Democratic Caucus. Second, it seems to me the time to challenge it is not now but when that action took place almost a year ago, not now, a year later after he had been appointed to this committee with the full knowledge of what his past actions had been.

I think fairness requires we support this amendment. I understand institutionally it has some problems, as I have said, but I think the country has a right to see Congress act fairly and I do not think we will act fairly in this instance if we do not adopt this amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Louisiana (Mr. LONG).

(Mr. LONG of Louisiana asked and was given permission to revise and extend his remarks.)

Mr. LONG of Louisiana. Mr. Chairman, there is one point I would like to make. In discussions we held before the Rules Committee trying to work out a solution to this problem and in the discussions that were held by many of us outside the Rules Committee, never once was this possible solution even suggested nor was it suggested by any witness that appeared before the Rules Committee. It was not suggested by any present member of the committee as a possible solution to this problem, and we on the Rules Committee were looking hard for a workable solution.

I must admit in all frankness I as an individual did not think of this. But

I do say that should we adopt this amendment which has today or since yesterday been presented as a possible solution, that it does not necessarily resolve the problem. The reason it does not is because should the chairman of the committee decide that he wants to stay on the committee, under this amendment we would find ourselves in exactly the same position that led us to take the action that we in the Rules Committee so reluctantly had to take. Consequently, this is no solution to the problem at all.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan (Mr. BROWN).

(Mr. BROWN of Michigan asked and was given permission to revise and extend his remarks.)

Mr. BROWN of Michigan. Mr. Chairman, I think it is truly unfortunate that this amendment is before us. I think the tenor of the debate would cause anyone in the Chamber to believe it is unfortunate that it is before us. What is the only justification for it being before us? It is that it is a tradition of the House that when a committee is changed and expanded that its present membership is retained. Now, that is the regular and ordinary thing. But is this a regular and ordinary event? I suggest that it is not. I suggest the reason the matter is before us today is unprecedented. How many times have we voted to reject the resignation of a chairman of a committee?

I reject totally the discussions that have been held on the floor here today that this is an item that involves the gentleman from Massachusetts. I think it just as much involves my colleague, the gentleman from Michigan, and there is not a finer man in the House. But are we as the membership in this House going to, in effect, perpetuate tenths of a committee that found itself at an impasse, that found itself in an intolerable situation that led to these unprecedented events? I cannot imagine the House conscientiously and intentionally doing that, and that is the only issue before us.

I urge defeat of the amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Florida (Mr. HALEY).

(Mr. HALEY asked and was given permission to revise and extend his remarks.)

(Mr. HALEY addressed the Committee. His remarks will appear hereafter in the Extensions of Remarks.)

The CHAIRMAN. The Chair recognizes the gentleman from Missouri (Mr. BOLLING) to close the debate.

Mr. BOLLING. Mr. Chairman, I regret that this amendment is offered for two reasons. One, because it allows in the minds of some this matter to turn into a referendum on a Member.

I proposed the resolution and the resolution was designed to avoid that, if possible, simply because I thought that any Member deserved the opportunity to go through a process more rational than a floor debate, but that is not really the reason I oppose this amendment.

There have been a lot of arguments made that are not valid. There has been some conversation about how the Democratic Caucus should have dealt with it, but I have worked pretty hard to have a live Democratic Caucus that has some power, but it is more than 30 days since the House first acted on the impasse and I have not seen any very vigorous effort to bring the matter before the caucus for a vote.

As a matter of fact, I have gained the impression, perhaps erroneously, that nobody really wanted to have it in the caucus for a vote.

But I oppose this amendment on narrow, procedural grounds. This could set the worst possible precedent.

For all the time that the Congress has existed, the House has existed, select committees have been appointed solely by the Speaker. There has never been a direction to the Speaker that I can find to put a Member on or keep a Member off in connection with the appointment of a select committee. As far as I can figure out, that is a direct line from the beginning, from Jefferson's manual on; and for the institution to decide suddenly, as what may appear to some to be a tactic, to change that approach not only to select committees but to conference committees, seems to me a very, very serious mistake.

I have spoken several times on this matter, and I am not inclined to use words loosely. In my first speech, I said that I honored every member of this select committee, and I repeat it now. The issue today is very simple. Is the House of Representatives going to have a committee of its choice which successfully carries out the mission, given to the committee that we will abolish, some months ago?

I think that is the only issue. I think that is the fundamental issue, and I repeat a little of what I said on Monday night, that I think this institution and its successful performance is far more important than all the other matters that have been discussed and all the other individuals that are involved.

Mr. Chairman, I hope this amendment will be roundly defeated.

The CHAIRMAN. All time for debate has expired.

The question is on the amendment offered by the gentleman from California (Mr. Moss).

The question was taken; and the Chairman announced that the noes appeared to have it.

## RECORDED VOTE

Mr. MOSS. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 119, noes 274, answered "present" 24, not voting 17, as follows:

[Roll No. 402]

AYES—119

Abzug	Beard, R.I.	Burton, John
Addabbo	Bedell	Carney
Ambro	Blester	Carr
Anderson,	Bingham	Chisholm
Calif.	Blouin	Clay
Anderson, Ill.	Bonker	Cohen
Badillo	Brinkley	Collins, Ill.
Baldus	Brown, Calif.	Conte
Baucus	Burke, Calif.	Conyers

Corman	Howard
Cornell	Howe
Cotter	Hughes
Danielson	Jacobs
Dellums	Jenrette
Dent	Jordan
Dodd	Kastenmeier
Downey	Keys
Drinan	Koch
Early	Leggett
Eckhardt	Lloyd, Calif.
Edgar	McCloskey
Edwards, Calif.	McCormack
Evans, Ind.	McHugh
Fasell	Macdonald
Florio	Maguire
Ford, Tenn.	Metcalfe
Gialmo	Meyner
Gibbons	Mezvinsky
Green	Mikva
Gude	Miller, Calif.
Hall	Mineta
Hamilton	Mitchell, Md.
Hanley	Moakley
Harkin	Moffett
Harrington	Moss
Harris	Mottl
Hawkins	Nolan
Hechler, W. Va.	Oberstar
Hicks	Obey
Holland	Pattison, N.Y.
Holtzman	Rangel

## NOES—274

Abdnor	du Pont	Landrum
Adams	Edwards, Ala.	Latta
Alexander	Elberg	Lehman
Andrews, N.C.	Emery	Lent
Andrews,	English	Levitas
N. Dak.	Erlenborn	Litton
Annunzio	Esch	Lloyd, Tenn.
Armstrong	Eshleman	Long, La.
Ashbrook	Fary	Long, Md.
Ashley	Fenwick	Lott
AuCoin	Findley	Lujan
Bafalis	Fish	McClory
Barrett	Fisher	McDade
Bauman	Fithian	McDonald
Beard, Tenn.	Flood	McEwen
Bell	Flowers	McFall
Bennett	Ford, Mich.	McKay
Bergland	Forsythe	Madden
Bevill	Fountain	Mahon
Biaggi	Fraser	Mann
Blanchard	Frey	Martin
Boggs	Fuqua	Mathis
Boiland	Gaydos	Mazzoli
Bolling	Gilman	Meeds
Bowen	Ginn	Meicher
Brademas	Goldwater	Michel
Breaux	Goodling	Miller, Ohio
Brodhead	Gradison	Mills
Brooks	Grassley	Minish
Broomfield	Guyer	Molloy
Brown, Mich.	Hagedorn	Montgomery
Brown, Ohio	Haley	Moore
Broyhill	Hammer-	Moorhead,
Buchanan	schmidt	Calif.
Burgener	Hansen	Moorhead, Pa.
Burke, Fla.	Harsha	Morgan
Burke, Mass.	Hastings	Mosher
Burleson, Tex.	Hays, Ohio	Murphy, Ill.
Burison, Mo.	Hébert	Murphy, N.Y.
Burton, Phillip	Heckler, Mass.	Murtha
Butler	Hefner	Myers, Ind.
Byron	Heinz	Natcher
Carter	He stoeki	Neal
Casey	Henderson	Nedzi
Cederberg	Hightower	Nichols
Chappell	Hillis	Nix
Clancy	Hinshaw	Nowak
Clausen,	Holt	O'Brien
Don H.	Horton	O'Hara
Clawson, Del.	Hubbard	O'Neill
Cleveland	Hungate	Ottinger
Collins, Tex.	Hyde	Passman
Conable	Ichord	Patten, N.J.
Conlan	Jarman	Pepper
Coughlin	Johnson, Calif.	Perkins
Crane	Johnson, Colo.	Pettis
Daniel, Dan	Johnson, Pa.	Peyser
Daniel, R. W.	Jones, Ala.	Pickle
Daniels, N.J.	Jones, N.C.	Poage
Davis	Jones, Okla.	Pressler
de la Garza	Jones, Tenn.	Preyer
Delaney	Kasten	Price
Derrick	Kazen	Pritchard
Derwinski	Kelly	Rallsback
Devine	Kemp	Randall
Dickinson	Ketchum	Regua
Diggs	Kindness	Rhodes
Dingell	Krebs	Rinaldo
Downing	Krueger	Risenhcover
Duncan, Oreg.	LaFalce	Roberts
Duncan, Tenn.	Lagomarsino	Robinson

Roe	Smith, Nebr.	Vander Jagt
Rogers	Snyder	Vander Veen
Rooney	Spellman	Vigorito
Rose	Staggers	Waggonner
Rostenkowski	Stanton	Walsh
Roush	J. William	Wampler
Rousselot	Steed	White
Runnels	Steiger, Ariz.	Whitehurst
Ruppe	Stephens	Whitten
Russo	Stratton	Wiggins
Ryan	Stuckey	Wilson, Bob
Satterfield	Sullivan	Wilson, C. H.
Schneebeli	Symington	Winn
Schulze	Talcott	Wright
Sebelius	Taylor, Mo.	Wyder
Shipley	Taylor, N.C.	Wyllie
Shriver	Thompson	Yatron
Shuster	Thone	Young, Alaska
Slak	Thornton	Young, Fla.
Skubitz	Traxler	Young, Ga.
Slack	Ullman	Zablocki
Smith, Iowa	Van Deerlin	Zeferetti

## ANSWERED "PRESENT"—24

Aspin	Hayes, Ind.	Myers, Pa.
Breckinridge	Hutchinson	Pike
Cochran	Jeffords	Quie
D'Amours	McCollister	Quillen
Flynt	McKinney	Sarasin
Foley	Madigan	Spence
Frenzel	Millard	Treen
Gonzalez	Mitchell, N.Y.	Young, Tex.

## NOT VOTING—17

Archer	Matsunaga	Sikes
Edwards, Colo.	Mink	Steelman
Evins, Tenn.	Patman, Tex.	Steiger, Wis.
Fulton	Patterson,	Symms
Hannaford	Calif.	Teague
Karth	Santini	Udall

So the amendment was rejected.

The result of the vote was announced as above recorded.

## AMENDMENT OFFERED BY MR. BOLLING

Mr. BOLLING. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BOLLING: In section 8, on page 6, line 8, strike out "January 3" and insert "January 31".

(Mr. BOLLING asked and was given permission to revise and extend his remarks.)

Mr. BOLLING. Mr. Chairman, this is the matter that the gentleman from Illinois (Mr. McClory) and I were discussing on Monday. It changes the dates from January 3, 1976, to January 31; that is the correct date.

Mr. Chairman, I would ask for a vote of approval on the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri (Mr. BOLLING).

The amend was agreed to.

## AMENDMENTS OFFERED BY MR. TREEN

Mr. TREEN. Mr. Chairman, I offer amendments, and I ask unanimous consent that they may be considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The Clerk read as follows:

Amendments offered by Mr. TREEN: Page 1, line 4, after the word "oversight" strike out the remainder of the sentence, and insert: "Of certain intelligence agencies of the United States Government."

Page 2, line 5, through line 3 on page 3 strike out all of section 2, and insert:

"Sec. 2. The select committee is authorized and directed to conduct an inquiry into the intelligence agencies identified in section 3, with regard to—

(1) the collection, analysis, use, and cost of intelligence information and allegations of illegal or improper activities;

July 17, 1975

H 6991

(2) the procedures and effectiveness of coordination among and between said agencies;

(3) the nature and extent of executive branch oversight and control of said agencies;

(4) the need for improved or reorganized oversight by the Congress of said agencies;

(5) the necessity, nature, and extent of overt and covert intelligence activities of said agencies;

(6) the procedures for and means of the protection of sensitive intelligence information by said agencies; and

(7) procedures for and means of the protection of rights and privileges of citizens of the United States from illegal or improper intelligence activities by said agencies."

Page 3, line 4, through line 2, page 4, strike out all of section 3 and insert:

"Sec. 3. In carrying out the purposes of this resolution, the select committee is authorized to inquire into the activities of the following:

(1) the Central Intelligence Agency; -

(2) the Federal Bureau of Investigation; and

(3) the Department of the Treasury and the Department of Justice."

Page 4, line 20, strike out the word "Central", and all of lines 21 and 22, and insert: "intelligence agencies identified in section 3."

Mr. TREEN (during the reading). Mr. Chairman, I ask unanimous consent that the amendments be considered as read and printed in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

(Mr. TREEN asked and was given permission to revise and extend his remarks.)

Mr. TREEN. Mr. Chairman, I know the hour is late, and we have been on this matter a long time, I had prepared this amendment several days ago because I think it is important that the committee address the problem that the gentleman from Ohio (Mr. LATTI) focused on, and that is the breadth of this inquiry.

I have supported continuously, as a member of the original Select Committee on Intelligence, that we go forward with our investigation. I feel that when we have these sort of allegations, founded or unfounded, that it is important for the Congress of the United States, and particularly the House, as well as the Senate, to respond with an inquiry.

I have supported an inquiry, but I do think we have a very serious problem as to the extent of the mandate set forth in this resolution. Those Members who have copies of the resolution available might look at page 3, which lists the 14 different agencies that this committee is authorized to look into.

If the Members will look at section 2, they will find language that provides that the select committee is "authorized and directed" to conduct an inquiry into all intelligence activities of this Government.

On page 3 we are directed to make an inquiry into the National Security Council; the U.S. Intelligence Board; the President's Foreign Intelligence Advisory Board; the CIA; the Defense Intelligence Agency; the intelligence components of the Army, Navy, and Air

Force; the National Security Agency; the Intelligence and Research Bureau of the Department of State; the FBI, the Department of the Treasury and the Department of Justice, the Energy Research and Development Administration, and then all other instrumentalities of the U.S. Government engaged in or responsible for intelligence activities.

My amendment would limit this to those agencies that really have been accused, rightly or wrongly, of improper activities. My amendment would limit the inquiries to the CIA, the FBI, the Department of the Treasury, and the Department of Justice; and, of course, in covering the Department of the Treasury, we cover IRS.

We have 5 months to do this job and to report by January 31 of next year, and it is impossible for us to do, it seems to me, the job mandated by this resolution if we cover all of these areas. I think it is impossible to do a good job even with the four that are left in by my amendment if adopted.

Some may say the committee can decide which agencies it will look into. I say if we leave it to the committee, the committee will be criticized if it elects not to investigate certain agencies, just as the Rockefeller Commission was criticized for not going further than it did.

Indeed, the language in section 2, as I mentioned before, not only authorizes but directs this committee to collect, analyze, et cetera, all intelligence information and allegations of illegal improper activities of all intelligence agencies in the United States and abroad. I say let us confine our inquiry, at this time, with the 5 months that we have left, to these four agencies or departments. Given the fact that we are going to have 13 people instead of 10 asking questions, and given the fact that all of the committee members have other committees on which they serve and other duties, it is going to be extensively difficult to cover even four areas. Let us be realistic about how much this committee can accomplish and accomplish satisfactorily. I urge adoption of the amendment.

Mr. BOLLING. Mr. Chairman, I rise in opposition to the amendment.

(Mr. BOLLING asked and was given permission to revise and extend his remarks.)

Mr. BOLLING. Mr. Chairman, I hope we can vote on this matter very quickly, and I will be very brief.

I remain convinced that the select committee should have the opportunity to deal with the whole complicated difficult problem. Without that opportunity and responsibility, I do not think it can acquit itself fully and bring forth the kind of report that I anticipate from it. I think that on Monday, if the committee is successful in organizing and beginning its processes, if it needs additional time, no doubt the House will give it additional time, but I think it would be a mistake to narrow the jurisdiction to a limited number of agencies.

I think it is imperative that we have a thorough, complete, and full investigation. I, therefore, urge the Members to vote against the amendment.

The CHAIRMAN. The question is on the amendments offered by the gentleman from Louisiana (Mr. TREEN).

The question was taken; and on a division (demanded by Mr. TREEN) there were—ayes 34, noes 138.

So the amendments were rejected.

The CHAIRMAN. Are there further amendments?

AMENDMENT OFFERED BY MR. TREEN

Mr. TREEN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TREEN: Page 3, after line 3, insert: "Provided, That the authority conferred by this section shall not be exercised until the committee shall have adopted the rules, procedures, and regulations required by section 6 of this resolution."

(Mr. TREEN asked and was given permission to revise and extend his remarks.)

Mr. TREEN. Mr. Chairman, this is a very simple amendment. As a matter of fact I hope the author of the resolution will accept it. I did not ask for a record vote on the last amendment because it was pretty obvious I would lose and I do not want to prolong this discussion of the resolution, but I think this is an important matter.

What this amendment does is tell the new committee that it shall not begin its investigation or its inquiry until it has done what section 6 of this resolution states it should do. It is identical with section 6 of the prior resolution. It mandates that we adopt rules of procedure. It says the committee must adopt security regulations; it must adopt the language of a contract to prevent any staff member from writing a book or an essay or receiving an honorarium based on information he receives as a member of the staff, and it also mandates that all members of the staff have a security clearance as required by the committee before they begin the investigation.

The fact of the matter is that the present committee hired staff, and the staff has done a great deal of investigating, taking statements, and receiving documents although the select committee never adopted the security regulations necessary for the control of the information we received.

I really believe that this is one of the problems that our committee faced in its functioning. We were interrupted in our consideration of the security regulations by the controversy over the chairmanship of the committee and never adopted security regulations. We have had a number of staff members going all around conducting investigations in the name of our committee without there ever having been security regulations adopted.

Mr. BOLLING. Mr. Chairman, will the gentleman yield?

Mr. TREEN. I yield to the gentleman from Missouri.

Mr. BOLLING. Mr. Chairman, I have consulted a variety of people who are more expert in this matter than I. I can see no possible objection to this. It may be redundant but it is harmless redundant.



dancy. Therefore I am prepared to accept the amendment.

Mr. TREEN. I thank the gentleman from Missouri.

I will say with respect to the question of redundancy, one would have thought so, but the fact of the matter is the committee proceeded without having done this in the first instance, so I think the history of the situation directs that we mandate that the section 6 requirements be met before the committee commences its inquiry.

Mr. QUILLEN. Mr. Chairman, will the gentleman yield?

Mr. TREEN. I yield to the gentleman from Tennessee (Mr. QUILLEN).

Mr. QUILLEN. Mr. Chairman, this side accepts the amendment.

Mr. McCLODY. Mr. Chairman, will the gentleman yield?

Mr. TREEN. I yield to the gentleman from Illinois.

Mr. McCLODY. Mr. Chairman, I thank the gentleman for yielding.

I commend the gentleman for his amendment. It is a good amendment and it should be adopted.

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

The CHAIRMAN. There being no further amendments, under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker resumed the chair, Mr. EVANS of Colorado, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the resolution (H. Res. 591) establishing a Select Committee on Intelligence, pursuant to House Resolution 596, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### PERMISSION FOR AD HOC COMMITTEE ON OUTER CONTINENTAL SHELF TO SIT DURING 5-MINUTE RULE TOMORROW

Mr. BREAUX. Mr. Speaker, I ask unanimous consent that the Ad Hoc Committee on the Outer Continental Shelf be allowed to sit tomorrow during the 5-minute rule.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

#### PERSONAL EXPLANATION

(Mr. PICKLE asked and was given permission to address the House for 1-minute and to revise and extend his remarks.)

Mr. PICKLE. Mr. Speaker, due to an appointment with the doctor on Monday, July 14, 1975, I was unavoidably absent during a portion of the debate on the Agriculture appropriations, H.R. 8561.

During my absence, the House adopted an amendment by Mr. JOHN BURTON of California which provided moneys to the Farmers Home Administration revolving loan fund for soil and water conservation use.

Since most farmers are required to have pollution control facilities built within the next 2 years to meet EPA water standards, these 40-year loans at 5 percent, would be most beneficial.

Mr. BURTON's amendment called for exacting standards for those seeking loans and was wisely approved by the House. If I had been present, I would have voted aye on the amendment.

#### ENERGY CONSERVATION AND OIL POLICY ACT OF 1975

Mr. DINGELL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 7014) to increase domestic energy supplies and availability; to restrain energy demand; to prepare for energy emergencies; and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from Michigan.

The motion was agreed to.

#### IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 7014) with Mr. BOLLING in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on Tuesday, July 15, the Clerk had read through the first section ending on page 165, line 24, of the substitute committee amendment.

The Clerk will read.

The Clerk read as follows:

#### TABLE OF CONTENTS

##### TITLE I—FINDINGS, PURPOSE, AND DEFINITIONS

- Sec. 101. Findings.
- Sec. 102. Statement of purposes.
- Sec. 103. Definitions.

##### TITLE II—STANDBY ENERGY AUTHORITIES AND NATIONAL CIVILIAN STRATEGIC PETROLEUM RESERVE

###### PART A—STANDBY ENERGY AUTHORITIES

- Subpart 1—General Emergency Authorities
- Sec. 201. Conditions of exercise of energy conservation and gasoline rationing authorities.
- Sec. 202. Energy conservation contingency plans.
- Sec. 203. Gasoline rationing contingency plan.

###### Subpart 2—International Authorities

- Sec. 211. International oil allocation.
- Sec. 212. International voluntary agreements.
- Sec. 213. Advisory committees.
- Sec. 214. Exchange of information.

###### Subpart 3—Materials Allocation

- Sec. 221. Materials allocation.

##### PART B—NATIONAL CIVILIAN STRATEGIC PETROLEUM RESERVE

- Sec. 251. Declaration of policy.
- Sec. 252. Definitions.
- Sec. 253. National Civilian Strategic Petroleum Reserve and National Civilian Strategic Petroleum Reserve Plan.
- Sec. 254. Early Storage Reserve.
- Sec. 255. Congressional review and implementation of the National Civilian Strategic Petroleum Reserve Plan.
- Sec. 256. Authorization and review of extraordinary measures to implement the Plan.
- Sec. 257. Purchase of petroleum products for storage in the Reserve.
- Sec. 258. Disposal of the Reserve.
- Sec. 259. Authorization of appropriations.
- Sec. 260. Coordination with import quota system.

##### TITLE III—OIL PRICING POLICY AND MEASURES TO MAXIMIZE AVAILABILITY OF ENERGY SUPPLIES

- Sec. 301. Oil pricing policy.
- Sec. 302. Limitations on pricing authority.
- Sec. 303. Production of oil or gas at the maximum efficiency rate and temporary emergency production rate.
- Sec. 304. Federal oil, gas, and coal leasing arrangements.
- Sec. 305. Domestic use of energy-related materials and equipment.
- Sec. 306. Domestic use of energy supplies.
- Sec. 307. Entitlements.
- Sec. 308. Recycled oil.

##### TITLE IV—ENERGY CONSERVATION MEASURES

###### PART A—ALLOCATION ACT AMENDMENTS AND OTHER ENERGY CONSERVATION MEASURES

- Sec. 401. Restructuring of Allocation Act.
- Sec. 402. Conversion to standby authorities.
- Sec. 403. Definitions in Allocation Act.
- Sec. 404. Amendment to section 4 of the Allocation Act.
- Sec. 405. Mandatory gasoline allocation savings program.
- Sec. 406. Retail distribution control measures.
- Sec. 407. Direct controls on refinery operations.
- Sec. 408. Inventory controls.
- Sec. 409. Hoarding prohibitions.
- Sec. 410. Supplemental authorities to assure reasonableness of petroleum prices.
- Sec. 411. Energy conservation in policies and practices of Federal agencies.
- Sec. 412. Public information program.
- Sec. 413. Report on enforcement of national maximum speed limit.
- Sec. 414. Energy conservation through van pooling arrangements.
- Sec. 415. Use of carpools.

###### PART B—INDUSTRIAL ENERGY CONSERVATION

- Sec. 451. Findings.
- Sec. 452. Definitions.
- Sec. 453. Energy efficiency targets for major industrial energy consumers.
- Sec. 454. Dissemination of energy efficiency guidelines.
- Sec. 455. Effects on employment.

##### TITLE V—IMPROVING ENERGY EFFICIENCY OF CONSUMER PRODUCTS

###### PART A—AUTOMOBILE FUEL MILEAGE

- Sec. 501. Definitions.
- Sec. 502. Average fuel economy standards applicable to each manufacturer.
- Sec. 503. Determination of average fuel economy.
- Sec. 504. Judicial review.
- Sec. 505. Information and reports.
- Sec. 506. Labeling and advertising.
- Sec. 507. Prohibited conduct.
- Sec. 508. Civil penalty.
- Sec. 509. Effect on State law.

The nominations of Abner Woodruff Sibal, of Virginia, to be General Counsel of the Equal Employment Opportunity Commission; and Frank R. Barnako, of Pennsylvania, to be a member of the Occupational Safety and Health Review Commission.

Also, committee tabled motion to report S. Con. Res. 46, proposing disapproval of the regulations of the Department of Health, Education, and Welfare relating to nondiscrimination on the basis of sex in education programs.

Prior to these actions committee held hearings on the nominations of Messrs. Sibal and Barnako, where Representative Rooney of Pennsylvania introduced Mr. Barnako, and the nominees testified and answered questions on their own behalf.

#### HIGHER EDUCATION

*Committee on Labor and Public Welfare:* Subcommittee on Education continued oversight hearings on the role of higher educational institutions in the United States, receiving testimony from Prof. Henry T. Yost and Alfred D. Sumberg, both representing the American Association of University Professors; Myles M. Fisher IV, Dr. Charles A. Lyons, Jr., Fayetteville, N.C., and Dr. Milton K. Curry, Jr., Dallas, Tex., all representing the National Association for Equal Opportunity in Higher Education; and Julia Jacobsen, Council of Independent Colleges of Virginia.

Hearings continue tomorrow.

#### CLEAN AIR ACT AMENDMENTS

*Committee on Public Works:* Subcommittee on Environmental Pollution continued in an evening session to mark up proposed legislation which would amend the Clean Air Act.

#### COMMITTEE FUNDING

*Committee on Rules and Administration:* Committee, in closed session, continued consideration of committee funding resolutions, and adjourned subject to call.

#### VA PHYSICIANS' PAY COMPARABILITY

*Committee on Veterans' Affairs:* Committee ordered favorably reported, with amendments, S. 1711, providing special pay and other incentives to enhance recruitment and retention of medical and other health care personnel in the Department of Medicine and Surgery of the Veterans' Administration.

#### FINANCIAL INSTITUTIONS GIVEAWAYS

*Select Committee on Small Business:* Committee began hearings to examine the practice of giveaways and sale of merchandise by financial institutions, receiving testimony from Dr. Harris C. Friedman, Director, Office of Economic Research, Federal Home Loan Bank Board; Allen L. Raikin, Adviser, Legal Division, Board of Governors of the Federal Reserve System, who was accompanied by his associates; Sheldon I. London, Retail Jewelers of America, Washington, D.C.; accompanied by Katherine Everhart, Everhart Jewelers, Fairfax, Va.; Edward C. Ritz, Ritz Camera Stores, Beltsville, Md.; and David Ulrich, Tri City Pro Hardware, Oak Creek, Wis.; John Daly, International Silver Co., Meriden, Conn.; James Van Wonerghem, J. Edward Connelly Associates, Pittsburgh, Pa.; Nathaniel Bowditch, First Pennsylvania Bank, Philadelphia; accompanied by Jerry S. Wayt, Huntington National Bank, Columbus, Ohio; and A. Bruce Crowley, First Pennsylvania Bank, Philadelphia.

Hearings were recessed subject to call.

#### CIA ACTIVITIES

*Select Committee on Intelligence Activities:* Committee met in closed session on committee business and received testimony from Edward H. Levi, Attorney General; and Clarence M. Kelley, Director, Federal Bureau of Investigation, both of the Department of Justice.

Committee will meet again tomorrow in closed session to consider committee business.

## House of Representatives

### Chamber Action

**Bills Introduced:** 32 public bills, H.R. 8661-8692; 3 private bills, H.R. 8693-8695; and 13 resolutions, H.J. Res. 562-569, H. Con. Res. 342-345, and H. Res. 604 were introduced.

Pages H6913, H6958-H6960

**Bills Reported:** Reports were filed as follows:

H.J. Res. 549, to approve the "Covenant To Establish a Commonwealth of the Northern Mariana Islands in Political Union With the United States of America" (H. Rept. 94-364); and

S. 846, to authorize the further suspension of prohibition against military assistance to Turkey, amended (H. Rept. 94-365).

Page H6958

**Late Report:** Committee on International Relations received permission to file a report by midnight tonight on S. 846, to authorize the further suspension of prohibition against military assistance to Turkey.

Page H6865

**Select Committee on Intelligence:** House continued consideration of H. Res. 591, establishing a Select Committee on Intelligence; but came to no resolution there-

on. Proceedings under the 5-minute rule will continue on Thursday, July 17.

By a recorded vote of 242 ayes to 162 noes, agreed to a motion that the committee rise.

Rejected the following amendments in the Committee of the Whole:

An amendment in the nature of a substitute that sought to abolish the present Select Committee on Intelligence established by H. Res. 138 (rejected by a recorded vote of 122 ayes to 293 noes with 2 voting "present"); and

An amendment in the nature of a substitute that sought to abolish the present Select Committee on Intelligence and make it in order, immediately following House action to create a permanent Joint Committee on Intelligence, to appoint House Members on the joint committee and those Members would act as an ad hoc House Committee until final enactment of legislation to create the permanent joint committee (rejected by a recorded vote of 178 ayes to 230 noes with 1 voting "present").

Pages H6865-H6881

**Committee To Sit:** Objection was heard to a unanimous-consent request that the Committee on Agriculture be permitted to sit during the proceedings under the 5-minute rule today.

Page H6881

**Subcommittee To Sit:** Subcommittee on Energy Research, Development and Demonstration of the Committee on Science and Technology received permission to sit during proceedings under the 5-minute rule today.

**Education Appropriations:** By a ye-a-and-nay vote of 370 yeas to 42 nays, the House agreed to the conference report on H.R. 5901, making appropriations for the Education Division and related agencies for fiscal year 1976, and the transition period; clearing the measure for Senate action.

Receded and concurred in Senate amendments Nos. 15, 16, and 17.

Receded and concurred with amendment in Senate amendments Nos. 10 and 21.

By a ye-a-and-nay vote of 212 yeas to 211 nays, House insisted on its disagreement to Senate amendment No. 44.

Pages H6881-H6895

**Nurse Training:** By a voice vote, the House agreed to the conference report on S. 66, to amend title VIII of the Public Health Service Act to revise and extend the programs of assistance under that title for nurse training and to revise and extend programs of health revenue sharing and health services; clearing the measure for the President.

Pages H6895-H6896

**Treasury—Postal Service Appropriations:** House considered H.R. 8597, making appropriations for the Treasury Department, the U.S. Postal Service, the Executive Office of the President, and certain Inde-

pendent Agencies for fiscal year 1976, and the transition period; but came to no resolution thereon. Proceedings under the 5-minute rule will continue on Thursday, July 17.

Took the following action in the Committee of the Whole:

Agreed to an amendment that deletes language prohibiting the use of funds by IRS to require the Nation's private colleges and other organizations to prove they have adopted racially nondiscriminatory policies (agreed to by a recorded vote of 284 ayes to 122 noes).

A point of order was sustained against language that permits access to IRS records by the Comptroller General.

An amendment was offered and subsequently withdrawn that sought to add \$2 million for accounts, collection and taxpayer service of the IRS.

H. Res. 600, the rule waiving points of order against the bill, was agreed to earlier by a voice vote.

Pages H6896-H6911

**Subpena Duces Tecum:** Read a subpena duces tecum served upon James M. Powell, Chief of the U.S. Capitol Police, in the case of Jeffery Simon against James M. Powell et al. (civil action No. 75-0973) pending in the U.S. District Court for the District of Columbia, requesting him to answer interrogatories. Subsequently, agreed to H. Con. Res. 342, authorizing Chief Powell to answer interrogatories.

Pages H6911-H6913

**Presidential Message—Hazardous Materials:** Received and read a message from the President wherein he transmits the fifth annual report on Hazardous Materials Control covering calendar year 1974—referred to the Committee on Interstate and Foreign Commerce.

Page H6913

**Amendments Ordered Printed:** Amendments ordered printed pursuant to the rule appear on pages H-6960-H-6963.

**Referral:** One Senate-passed measure was referred to the appropriate House committee.

Page H6957

**Quorum Calls—Votes:** One quorum call, and two ye-a-and-nay votes, and four recorded votes developed during the proceedings of the House today and appear on pages H6865, H6874-H6875, H6879-H6881, H6888, H6894-H6895, H6911.

**Program for Thursday:** Met at 10:15 a.m. and adjourned at 6:50 p.m. until 10 a.m. on Thursday, July 17, when the House will continue consideration of H.R. 8597, making appropriations for the Department of the Treasury, Postal Service, and General Government for fiscal year 1976;

Continue consideration of H. Res. 591, Select Committee on Intelligence; and

Continue consideration of H.R. 7014, Energy Conservation and Oil Policy Act of 1975.



# House of Representatives

WEDNESDAY, JULY 16, 1975

The House met at 10:15 o'clock a.m. The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:  
*Behold, I stand at the door and knock; if anyone hears My voice and opens the door, I will come in to him.*—Revelations 3: 20.

O God, who art ever knocking at the door of our hearts seeking entrance to our inmost being, we pause in Thy presence opening our lives unto Thee.

We thank Thee for the gift of prayer and for this opportunity of turning to Thee to receive strength for the day, wisdom for sound decisions, understanding when differences develop, and good will amid the difficulties we face.

Bless Thou our Nation that out of the depths of these disturbing days may come a new life for our people. Help us to help one another, teach us to trust one another, and grant us grace to live generously for the greater good of all. Abide with us, Lord, for in Thee do we put our trust. Amen.

## THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Without objection, the Journal stands approved.

There was no objection.

## MESSAGE FROM THE SENATE

A message from the Senate by Mr. Sparrow, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 1260. An act to authorize the Administrator of General Services to enter into multiyear leases through use of the automatic data processing fund without obligating the total anticipated payments to be made under such leases;

S. 1849. An act to extend the Emergency Petroleum Allocation Act; and

S. 1883. An act to conserve gasoline by directing the Secretary of Transportation to establish and enforce mandatory fuel economy performance standards for new automobiles and light duty trucks, to establish a research and development program leading to advanced automobile prototypes, and for other purposes.

## CALL OF THE HOUSE

Mr. BAUMAN. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. O'NEILL. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The call was taken by electronic device, and the following Members failed to respond:

[Roll No. 389]

Adams	Fuqua	O'Hara
Andrews, N.C.	Hanley	Rangel
Archer	Harsha	Riegle
Bell	Hébert	Rosenhoover
Biaggi	Hefner	Rosenthal
Burton, Phillip	Holland	St Germain
Butler	Jarman	Satterfield
Conlan	Karth	Scheuer
Conyers	Lent	Steiger, Wis.
Danielson	McHugh	Symms
Downey	Matsunaga	Teague
Drinan	Meeds	Udall
Esch	Mills	Ullman
Eshleman	Mollohan	Wilson, C. H.
Fulton	Mosher	Zablocki

The SPEAKER. On this rollcall 389 Members have recorded their presence by electronic device, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

## PERMISSION FOR COMMITTEE ON INTERNATIONAL RELATIONS TO FILE REPORT ON S. 846, AS AMENDED, TO AUTHORIZE FURTHER THE SUSPENSION OF MILITARY AID TO TURKEY

Mr. MORGAN. Mr. Speaker, I ask unanimous consent that the Committee on International Relations have until midnight tonight to file a report on S. 846, as amended, to authorize further the suspension of military aid to Turkey.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

## ESTABLISHING A SELECT COMMITTEE ON INTELLIGENCE

Mr. BOLLING. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the resolution (H. Res. 591) establishing a Select Committee on Intelligence.

The SPEAKER. The question is on the motion offered by the gentleman from Missouri (Mr. BOLLING).

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the resolution, House Resolution 591, with Mr. EVANS of Colorado in the chair.

The Clerk read the title of the resolution.

The CHAIRMAN. When the Committee rose on Monday, July 14, 1975, all

time for general debate on the resolution had expired.

The Clerk will read.

The Clerk read as follows:

*Resolved*, That (a) there is hereby established in the House of Representatives a Select Committee on Intelligence to conduct an inquiry into the organization, operations, and oversight of the intelligence community of the United States Government.

(b) The select committee shall be composed of thirteen Members of the House of Representatives to be appointed by the Speaker. The Speaker shall designate one of the members as chairman.

(c) For the purposes of this resolution the select committee is authorized to sit during sessions of the House and during the present Congress whether or not the House has recessed or adjourned. A majority of the members of the select committee shall constitute a quorum for the transaction of business except that the select committee may designate a lesser number as a quorum for the purpose of taking testimony.

Mr. QUILLEN (during the reading). Mr. Chairman, I ask unanimous consent that section 1 of the resolution be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. QUILLEN

Mr. QUILLEN. Mr. Chairman, I offer an amendment in the nature of a substitute.

The Clerk read as follows:

Amendment in the nature of a substitute offered by Mr. QUILLEN: Strike all after the resolving clause and insert in lieu thereof the following:

*Resolved*, That the select committee established by H. Res. 138 is abolished immediately upon the adoption of this resolution; and be it further

*Resolved*, That immediately upon the adoption of this resolution, the Clerk shall obtain all papers, documents, testimony, and other materials generated by the select committee and transfer them to the General Services Administration for preservation subject to the order of the House.

(Mr. QUILLEN asked and was given permission to revise and extend his remarks.)

Mr. QUILLEN. Mr. Chairman, this is a very simple amendment. What it does is exactly what it says it does: It abolishes the Select Committee on Intelligence—period. But it does not entirely close the door for future action by the House.

This is a very important amendment. It is offered as an amendment in the nature of a substitute. If enacted, it will abolish the Select Committee on Intelligence, but, as I said, it does not completely close the door for the future.

H 6865

Mr. Chairman, let me read the headline in this morning's Washington Post: "CIA Debate Seen Dead in Senate."

The article states:

Senator Frank Church said yesterday that plans for a closed-door Senate debate on the Central Intelligence Agency's involvement in assassination plots may be abandoned because of the August recess.

It goes on to say that this report, if completed, will be made public while the Congress is in recess, but first of all the report on alleged assassinations will be given to the White House.

I think it is not logical for this House of Representatives to go forward with a Select Committee on Intelligence after the Rockefeller Commission made a thorough investigation of the CIA and has already made its report, after the Church committee in the Senate has gone 4 months in the investigation of the CIA of alleged assassination plots, and the committee is going to make its report on these plots even while we are in recess in August.

Mr. Chairman, I think it is important that this committee and that this House of Representatives look at the overall picture. What will be accomplished if we go into the investigation not only of the CIA but of 11 other agencies with less than 6 months remaining of this year and of this session of the Congress?

The committee, as proposed by the gentleman from Missouri, would expire on January 31. Investigation of the CIA and investigation of 11 other agencies would include the National Security Council, the U.S. Intelligence Board, the President's Foreign Intelligence Advisory Board, the Central Intelligence Agency, the Defense Intelligence Agency, the Army, Navy, and Air Force intelligence components, the Intelligence Research Bureau of the Department of State, the Federal Bureau of Investigation, the Department of the Treasury, the Energy Research and Development Administration, and any other instrumentality of the Government that this select committee decides to go into.

Mr. Chairman, I say to the Members that this select committee was created in February of this year. Because of internal problems and the constitution of the committee itself, no action has been taken. No meetings have been held in any meaningful way. The committee has not organized.

Mr. Chairman, I think it is important that this committee be abolished because the American people have lost confidence in that particular committee's going forward with any meaningful investigation. There have been leaks from other committees in past sessions of the Congress of classified and secret material, and the American people feel that in any investigation started by this select committee, there is a great possibility of future leaks. I think this country is so important, the future of this country as a democratic system is so important that we must take a break, so to speak, abolish the committee, and then after the Senate has made a full report, after the Church committee has made a full report, review the situation and see then if we need a committee to plow new ground. Certainly

we do not need a committee to go over the same testimony previously given by Mr. Colby and the others.

The CHAIRMAN. The time of the gentleman from Tennessee (Mr. QUILLEN) has expired.

(By unanimous consent, Mr. QUILLEN was allowed to proceed for 2 additional minutes.)

Mr. QUILLEN. Mr. Chairman, certainly this House of Representatives does not need to go over the ground covered by the Rockefeller Commission and the ground covered by the Church committee in the Senate. If there is new ground to be plowed after the Church committee has made its report, then let us consider whether or not we need a permanent Committee on Intelligence.

After this measure was debated on the floor of the House on Monday, the American people had uppermost in their minds not what this committee will uncover, but what the prices of groceries are on the grocer's shelves, and what the price of gasoline is going to rise to, and what taxes are going to be levied upon them. They are concerned with the domestic problems of our country. I think this Congress is leaving the wrong impression when our focus is on something that really is not as important as the domestic problems facing us today.

I think Mr. Colby has been before several committees and has presented all the documents necessary to conclude this consideration.

Mr. Chairman, I shall insist on a recorded vote on my amendment, and I would urge the Members of this body to support this amendment in good conscience. After all, the House of Representatives, later on, can reconstitute a new committee if necessary. But today let us abolish this committee, and get down to the business of lowering grocery prices, lowering gasoline prices, and doing the things that are necessary for the people of this country.

Mr. BOLLING. Mr. Chairman, I rise in opposition to the amendment in the nature of a substitute offered by the gentleman from Tennessee (Mr. QUILLEN).

Mr. Chairman, first of all I would like to deal briefly with a couple of procedural problems. There is a mistake in the resolution which is before us that was pointed out by the gentleman from Illinois (Mr. McCLOY) that, by a printer's error, January 3 appears on page 6 as the final date, and it should be January 31. When we get to that section I am going to offer a technical amendment which will bring this into conformity with the intent of everybody involved so that the final date of the committee, when it is reconstituted, will be the 31st of January.

Secondly, as we proceed with the debate I am not going in any way to try to prevent Members from having an opportunity to talk on particular amendments, but I am going to try to proceed in an orderly fashion and, with the cooperation of the committee, I hope we will be able to set time on each amendment, at a reasonable time, soon after we see how the debate is beginning to develop, and so that we will not just go

on and on and on, talking about everything on one amendment when there are other amendments coming.

I am going to seek to achieve some kind of an orderly discussion, amendment by amendment and, of course, that would also take into account the possibility of amendments being offered to amendments.

Now, Mr. Chairman, I would like to express my opposition to the amendment.

The argument that the gentleman from Tennessee makes might be a more forceful argument if the committee were just going to investigate, but the committee is going to make recommendations, I hope, and the recommendations are terribly important. The House not only needs to have an investigation, but it needs to have recommendations made on a variety of complex matters. The committee can recommend, and they may not be legislative recommendations. The committee, I think, should recommend in three areas. One, if anything needs to be done about the rules of the House; two, if anything should be done about the laws governing security matters of the United States and its agencies, and among its citizens; and three, what kind of oversight should be established for the future.

I think an expert committee that has done some studying of the problems of intelligence and really truly understands them should do that kind of work, should do the groundwork that will lead to an effective set of recommendations which the House will have an opportunity to consider. Therefore, I think it is a good idea to roundly defeat the proposal of the gentleman from Tennessee, no matter how well-intentioned it is.

Mr. Chairman, I yield back the remainder of my time.

Mr. BAUMAN. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, earlier this year the House was confronted with the question of whether or not it would abolish the House Committee on Internal Security. At that time the argument was advanced by the proponents that this particular committee was not needed, that it was superfluous, that it was expensive, that its jurisdiction was shared by other committees in the House, and that the Committee on the Judiciary could just as well handle these matters. If those arguments for abolition were applicable then, they certainly apply now to the pending resolution.

I want to remind the Members that the Internal Security Committee this House abolished was charged many years ago by the House of Representatives with investigating Communist subversion and subversion by other groups, anti-American and un-American groups. Last January the judgment was made by the majority party in this House that that committee should be abolished, that subversion was no longer a threat. Now we are being asked to create another committee to investigate executive agencies whose role also has been to control subversion.

The gentleman from Missouri says that the amendment of the gentleman from Tennessee is unnecessary and is out of place because the new committee proposed by this resolution will have a very important role, first of all, to recommend amendments to the Rules of the House dealing with national security and how it should be handled, rules dealing with a Member's right to information and how each of us should handle secret and confidential matters that come within our purview. I submit that the able gentleman from Missouri headed a select committee which had a great deal of time to devote itself to this and other matters regarding changes in the Rules of the House. There were substitutes, amendments, all sorts of changes made to the Rules of the House. Certainly the Committee on Rules, or any select group of that particular committee, could handle that question without any problem, based upon their expertise and ability, in a matter of weeks or months at the most, I am quite sure.

I doubt that the composition of the committee we propose to create here today would be such that it would be so finely tuned either temperamentally or intellectually that it is going to come out with any delicate rules to handle the conduct of Members of the House in matters of secrecy. No, I think the new committee's bag, as they say in the vernacular, is going to be investigation; and investigation on a grand scale molded along the lines of the prejudices of the individual Members who serve on this committee. We have already had a taste of what is to come by the remarks heard on this floor today.

I will say to the House I might be less willing to support the pending amendment if the Speaker of the House would announce to us now during this debate who will be chairman of this new group and what the composition of the membership will be. Last February I voted against the creation of the present committee that will be abolished as part of this resolution, because I did not think it would do the job. I had heard the names of some of the Members who had been proposed to serve on it, and I had misgivings. I must say my misgivings have been borne out to a fine fare-thee-well based on the conduct of this committee so far.

Second, do we need investigations of our security agencies by this proposed committee? I may not always agree with the gentlewoman from New York (Ms. ABzug) but she has exercised the jurisdiction of her Subcommittee on Government Operations in exploring fully—and will continue, I am sure, knowing her predilections—the CIA and its activities. We may not agree with the way that she does it in all respects, but it is within the jurisdiction of her committee. Other committees of the House already have jurisdiction over various security agencies as well, including the Committee on Armed Services and the Committee on Appropriations. Why must we have still another group?

As far as future oversight is concerned, the Committee on Government Operations has this within its jurisdiction. There is no need for this House to create

a new committee, but there is a great need to abolish the one we have.

I submit to the Members that the contents of this resolution constitute a political solution to the internal problems of the majority party in this House. This is unfortunate because I think that there has been raised valid questions regarding the civil liberties of individual citizens of the United States and whether governmental agencies are overstepping their bounds. It is unfortunate that we are asked in this particular instance to solve a political problem with a twofold resolution abolishing a useless committee that, indeed, should be abolished, and then creating another committee that probably will have to be abolished when it follows down the same road. But perhaps this unusual procedure will ease the internal problems of the Democratic caucus.

I think the solution offered by the gentleman from Tennessee is amply fair and correct. The Rockefeller Commission has acted. The Church committee in the other body is acting. Congress has gone over this ground before, as the gentleman from Arizona, the minority leader said yesterday. There is a limit to what we can do. The House is 6 months late and \$750,000 short. The House will never catch up to the other investigations, nor should we try. Abolish this committee and let the appropriate committees of the House do their job.

The proper manner in which to deal with this I think is to support the Quillen amendment.

(Mr. BAUMAN asked and was given permission to revise and extend his remarks.)

Mr. McCLODY. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, as the ranking minority member on the select committee that was appointed in February I want at least to advert to the responsible manner in which I feel the Members on our side have proceeded and have undertaken to perform their jobs with vigor and with determination in an effort to fulfill the mandate of this House of Representatives.

I think it is extremely important that we do not have out activities frustrated by the difficulties that have arisen on the other side of the aisle. Our frustrations would be complete if this amendment were to be adopted.

There is an important and legitimate role for us to perform. We recognized that when we established this select committee. In the effort being made now by the gentleman from Missouri (Mr. BOLING) he is trying to overcome the frustrations that have arisen because of disagreements on the other side of the aisle in order that this House of Representatives might legitimately carry out one of its important functions, that of oversight.

We are not concerned here simply with the CIA. The CIA, as a matter of fact is a small part of the overall intelligence community, but the complex intelligence community does deserve some oversight. There is tremendous confusion and overlapping and duplication. If the gentleman from Tennessee is interested in saving the money of the taxpayers he ought

to be interested in having the activities of the select committee carried on because the opportunities for savings are tremendous.

Nobody knows how much the overall intelligence operations cost. We should find out and determine that and make the entire intelligence community an efficient operation, and not just allow it to be one that goes on with various autonomous and independent operations without control and without coordination.

It seems to me to be extremely important, even though we move toward establishment of a joint committee, which I would support, even if we support a joint committee as an ultimate goal or objective of our committee, we should first of all study the framework and background of this entire activity so that we can move into that kind of oversight operation intelligently.

Mr. QUILLEN. Mr. Chairman, will the gentleman yield?

Mr. McCLODY. I yield to the gentleman from Tennessee.

Mr. QUILLEN. I thank the gentleman for yielding.

The gentleman says the committee ought to do certain things. Why has it not? Up to now the members have not.

Mr. McCLODY. I do not want to say that our efforts have not been frustrated. They have been, but I am confident that the Speaker is going to name a chairman of the committee who is going to demonstrate leadership and control of our committee. I am sure we are going to find the chairman, whoever it happens to be, will have the support of the Members on our side and we are going to move forward with our legitimate responsibilities and do the kind of job we are charged with doing, which includes the oversight of all the intelligence community.

Now, if the gentleman would get a background paper from the Legislative Reference Service of the Library of Congress, he would see how complex an operation this is. Our intelligence agencies enter into all kinds of subjects, not only do they invade the private rights of American citizens and not only is there confusion which results from the CIA and FBI not knowing where their lines of demarcation lie, but let me suggest another area requiring our close attention, that of drug enforcement. This is an area where we note a terrible increase in the drug traffic, because in my opinion we do not have the coordinated kind of communication between our various agencies with each other which they should have if we are to stamp out the drug traffic.

They need help to stamp out the traffic in drugs. This is one area, it seems to me that deserves a thorough investigation and it can only be done if the committee is active and empowered to carry on its job.

Mr. QUILLEN. Mr. Chairman, will the gentleman yield?

Mr. McCLODY. I yield to the gentleman from Tennessee.

Mr. QUILLEN. That was my impression and opinion and consideration in February of this year when this committee was formed by this House. I mean, the dreams and aspirations and ideas do not formulate unless action is taken.



The committee has not taken any action. Therefore, it should be abolished.

Mr. McCLODY. I do not think the gentleman should blame the committee or any of the Members on his side of the aisle, because we have been ready and able to go forward and we have gone forward to the extent we have been capable of going forward, but we have been frustrated, I recognize that. The purpose of the resolution of the gentleman from Missouri is to reactivate and restructure this committee so that we can fulfill the mandate that has been given to the House and that we should fulfill.

Mr. DELLUMS. Mr. Chairman, I move to strike the requisite number of words.

(Mr. DELLUMS asked and was given permission to revise and extend his remarks.)

Mr. DELLUMS. Mr. Chairman, as one of the present members of the committee, I rise in strong opposition to the amendment offered by the gentleman from Tennessee.

I would first point out that the House of Representatives and the Senate are equal in their constitutional responsibilities. The Constitution, in part, says that we not only shall make laws, but we are charged with the responsibility of overseeing the enactment of those laws. That means that we have a responsibility. We have a responsibility specifically in this issue, because there are many questions that have not been answered by the Rockefeller commission and there are many questions that may not be answered by the Senate committee.

First of all, with respect to the CIA—yes, we must explore with diligence and depth the question of the allegation of assassination as an instrument of foreign policy. We must go further in determining the degree to which people's rights have been abused domestically in this country. That is our responsibility. That is our charge.

We must know, for example, why is it that there are 200,000 American citizens who have a CIA file. Why is it that a few short weeks ago the Director of the CIA said 5, 6, maybe 7 Members of Congress had a CIA file; 3 weeks later he said 15 people. Now the record shows there are at least 75 Members of Congress who have a record and perhaps as time goes on there may be 435 people that have a record.

We need to know. That is our responsibility. That is our constitutional charge. We need to know, for example, why are there allegations that some former members of the intelligence community have gone into the civilian community in America, set up detective agencies or patrol agencies or what have you, that are still in some kind of network that would allow this group, although not officially on the payroll of the intelligence community, who could act as a network trained and capable to involve themselves in the violation of constitutional rights, the continued abuse of American citizens in this country.

We need to know what is the "green-light group" and what is their function and what are the ramifications of that group to our national security.

We need to know, for example, why a young person employed by the CIA could be arrested in possession of 100 pounds of heroin. That translates into \$3.5 million worth of death and destruction in the arms of many of our young men and women throughout this country. The CIA can then go to the Justice Department and say, "Do not prosecute this person."

I any person in this Chamber were in possession of 100 pounds of heroin, we would not see the light of day.

The question is, is this a quid pro quo or is this just one further abuse of employment in the CIA?

We need to know, for example how many wholly owned CIA proprietorships there are on the stockmarkets of America.

We need to know who are the directors of these various corporations. We need to know the nature of their political and economic influence in the committee. Have they ever contributed to political campaigns? If so, what are the ramifications? What happens to the profits of these wholly-owned CIA proprietary corporations when the law, the Constitution, says that the Congress shall authorize and appropriate funds? Did these funds go to finance such things as secret wars in Laos and Cambodia, to violate the rights of human beings in this country? We need to know; that is our responsibility.

With regard to the FBI, what about the counter-intelligence program with eight different projects. Many of us in this room do not know the function of one of those projects. We need to know all eight. We need to understand the ramifications so that we can take appropriate corrective action.

It has been alleged that every single telephone, telegram, Telex communication between this country and foreign countries is monitored by some intelligence agency. The enormous ramifications of that statement are shocking to me. We need to understand that. We need to know whether this is true. We need to be able to take corrective action. We now know that the IRS paid people to peep through keyholes of American citizens to determine their sexual activity. How many of us in this House would like to have their keyholes peeped?

Mr. Chairman, I interject a slight bit of humor into this debate which, probably through the next few hours, would not be very humorous, but not because the issue is frivolous. The issue is important and critical. We have a constitutional responsibility. I would recommend that we strike down this amendment. It would seem to me that if the House of Representatives passed an amendment to abolish the investigation, the American people would have the right to call for our impeachment.

Mr. Chairman, I urge that we strike down this resolution.

Mr. ASHBROOK. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I merely wanted to ask the previous speaker, if he would stay near a microphone, what is it his com-

mittee has done in the last 5 months on these vital questions that he raises?

Mr. DELLUMS. Mr. Chairman, I can say to the gentleman that the overwhelming majority of the members of the committee have been diligent in their efforts to try to resolve these various questions. As the gentleman is aware, a so-called impasse has been reached on this committee. My interpretation of that impasse is not that the members of the committee, nine of us, are not willing to go into this matter on today, tomorrow or yesterday.

But, what we are confronted with is a chairperson who decided for various and sundry reasons that he could not chair. He offered his resignation on the floor of the House. The House worked its will. I voted to receive the gentleman's resignation. The majority of the members voted not to do so. So, we have a chairperson who wanted to resign. The House did not allow that.

He is not chairing the meetings because he does not want to be the chairman, and I respect the gentleman's right to make that decision. We now are confronted with a committee that cannot function. That is no reflection on the nine members of the committee. We want very desperately to engage in the pursuit of these questions and to make a report and submit recommendations by January.

Mr. ASHBROOK. Would it be fair to say to the gentleman from California that he took a long way of saying "No" in answer to my question? Nothing has been done?

Mr. DELLUMS. That is not true.

Mr. ASHBROOK. The total output of the committee, the total result of the committee, the total hearings of the committee, the total recommendations of the committee add up to zero. Is that not correct?

Mr. DELLUMS. The day the committee called Mr. Colby, our first witness, before the committee, I would suggest to the gentleman that the persons on the other side of the aisle did not come to the meeting. The majority of the Democrats were there, prepared to go forward in the pursuit of the investigation of the Intelligence Committee. The three members of the gentleman's party did not come. He has to answer that question of why that action.

Mr. ASHBROOK. It still adds up to the fact that as far as the total action of the committee in response to the mandate of the House earlier this year, the answer is nothing, zero, absolutely nothing. Is that not correct?

Mr. DELLUMS. If the gentleman wants to ask a question and answer it for himself, then he can go forward and do it. I have tried to answer the gentleman's question to the best of my ability.

Mr. ASHBROOK. What I sought to get from the gentleman from California was that although he raised many serious questions—many of which I think ought to be answered also—my question was: How many of these questions have been answered? or even studied? What has been the total sum output of that

committee in the preceding 5 months? I think the answer is zero.

Mr. DELLUMS. The committee has not functioned, and that is a reflection on the issue I have already laid out. We have a committee which will not function. If the meetings would have been called, we would have been far down the road, and we would not be on the floor of the House debating this question today.

Mr. ASHBROOK. There is one principle that I have learned as one who has been around the House for a number of years and, having been a minority Member during that time, I understand it. My learned friend, the gentleman from Missouri (Mr. BOLLING), said on a number of occasions, which is absolutely correct, that there is no possible way in this body the will of the majority can be thwarted. So if there is a majority on that committee, it could not be thwarted. That is one thing I understand. If a majority of this House and if a majority of this committee ever really wants something, it can be accomplished. So I guess the answer to the question I put to the gentleman from California is that the majority evidently did not want anything because they did not accomplish anything in these preceding 5 months.

Mr. BAUMAN. Mr. Chairman, will the gentleman yield?

Mr. ASHBROOK. I yield to the gentleman.

Mr. BAUMAN. I thank the gentleman for yielding.

Mr. Chairman, I would like to ask the gentleman from California (Mr. DELLUMS) a question, if he is still with us, and I see he is.

Quite obviously, I will say to the gentleman from California, the chairman of the existing committee to investigate these matters, the gentleman from Michigan (Mr. NEDZI), acted in a manner that displeased a number of the members of the gentleman's committee. If the gentleman from New York (Mr. PIKE) is, as rumored, named by the Speaker as the chairman of this committee and he too acts in a manner that the gentleman from California finds disagreeable, will the gentleman's personal attitude be the same? Will the gentleman's conduct be the same as it was toward the gentleman from Michigan (Mr. NEDZI), regardless of the impact it has on the committee's activities?

Mr. DELLUMS. Yes.

Mr. BAUMAN. The answer is "Yes"?

Mr. DELLUMS. I think that is an absurd question. Someone said, "Do not dignify the question with an answer," but I will answer it.

Mr. BAUMAN. I would be pleased if the gentleman will dignify the question with an answer because the gentleman is always dignified.

Mr. DELLUMS. I thank the gentleman. I would say to my colleague that I try to operate within the framework of this House with integrity. If the chairperson, whoever that person is, operates in such a manner that my judgment allows me to believe that that deed or action or inaction violates the confidence of the committee or violates the

confidence of the House, yes, I would act in the same manner. I would not prejudge the gentleman. The gentleman who may very well be the chairman of the committee is a friend of mine. We do not always agree. There will be times when he and I will fight, but as long as that fight is open and honest, as long as it is not a question of credibility, as long as it is not a question of integrity, I will defend the gentleman.

Mr. YOUNG of Florida. Mr. Chairman, will the gentleman yield?

Mr. ASHBROOK. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. I thank the gentleman for yielding.

Mr. Chairman, in listening very closely to the debate of the gentleman from California (Mr. DELLUMS), several thoughts come to my mind, most of which I intend to keep to myself at least for the present, but one very important thought I should speak out on is this: I do not think that the American people believe a person should be immune from prosecution or surveillance if that person is a threat to the security of this Nation or that a person who is a threat to the security of this Nation should be immune from prosecution and surveillance just because he might be a Member of the U.S. Congress.

Mr. ASHBROOK. I would say that is correct. I think there is a fiction developing today that the will of the majority has been thwarted. One thing I have learned in this House, whether I agree with it or not, is that when the majority wants something, they can get it. The majority wanted to abolish the Internal Security Committee and it did. The majority on the CIA oversight committee could not possibly have been thwarted had they expressed a will, and I think this fiction should be answered at this point.

Mr. STRATTON. Mr. Chairman, I move to strike the requisite number of words.

(Mr. STRATTON asked and was given permission to revise and extend his remarks.)

Mr. STRATTON. Mr. Chairman, I rise somewhat reluctantly to support the amendment of the gentleman from Tennessee (Mr. QUILLLEN). This is a difficult decision to make. The theoretical and philosophical reasons in support of this resolution were eloquently outlined by the gentleman from Missouri (Mr. BOLLING) the other evening, and there is a great deal of merit to them.

But unfortunately what we are confronted with here is a condition and not a theory. It is not a question of the theory of the House or the theory of our committees; it is a question of the particular committee that we are confronted with and the particular intelligence situation that we confront.

I believe the best solution is to abolish the committee. I say this not because I do not believe the House has a responsibility here. Certainly the House has a responsibility, just as the Senate has a responsibility. But I think the main responsibility today is not to plow over the old investigative ground that has already been plowed by the Rockefeller commis-

sion and the Church committee, and in a rather responsible way too, I might say.

There is a more important responsibility, and that is to try to set up some of the rules for future oversight procedures of intelligence organizations in this country by the Congress so they can be effective and yet at the same time not destroy our operating intelligence organizations.

But is that really going to happen from this new committee? I think it is quite clear that it is not going to happen. Investigations have a great appeal, and I dare say that once this committee gets reconstituted, the temptations to look into all the aspects the gentleman from California (Mr. DELLUMS) has just outlined, with what he calls some humor, I think, are going to be irresistible.

Mr. Chairman, let us recognize that we simply cannot keep the intelligence organizations of the country on the front page and detail one exploit after another without doing severe damage to the effectiveness of those intelligence organizations.

We have already reached the absurd when the allegation is made that the CIA in the Nixon administration infiltrated the White House, although at the very same time we have been making the allegation that President Nixon was running the CIA for his own purposes. No, the important thing today is to get on with what are really the serious and responsible jobs that have to be done to determine whether a democracy can indeed operate an effective and alert intelligence operation.

I have very great confidence in the gentleman from New York (Mr. PIKE), who is rumored to become the chairman of this new committee, but I think the gentleman from Maryland (Mr. BAUMAN) has put his finger on the real problem. As outstanding as the gentleman from New York (Mr. PIKE) is, can he really do a better job than the gentleman from Michigan (Mr. NEDZI) did if he is going to be faced with members of the committee who continue to believe they have a higher right than the resolutions, the rules of the House, and the requirements of classification, so that they may, therefore, put anything they want to in the newspapers? Of course, we cannot run a responsible intelligence investigation with that kind of thinking.

The gentleman from Missouri (Mr. BOLLING) mentioned this problem the other night when he said that he believed we need an Official Secrets Act. Of course we do. But the gentleman, I think, well knew—and perhaps that was the reason he declined to yield to me at the time—that we are not going to get any Official Secrets Act recommended by this committee or probably even by this Congress.

So I am afraid that what is going to happen is that this committee, if it is reconstituted by the resolution before us, and if it gets into all the matters the gentleman from California (Mr. DELLUMS) referred to a moment ago, will be in operation down to December 31, 1976, and still without any positive recommendations.

What we need most are recommendations as to how we can have responsible control over intelligence in a free, demo-

cratic society; how we can maintain the basic secrecy that is essential; how we can find out what the potential enemy is up to with a minimum interference with individual rights. Let us not just continue to hash over the lurid past.

So I believe we ought to abolish this committee, and we ought seriously to consider the recommendation of the gentleman from Illinois (Mr. ANDERSON) that instead we set up some kind of new organization to concentrate on these important issues of the future.

After all, if we really believe in détente, if we really believe in peace, then it is imperative that we keep an effective intelligence organization. That is the early warning system of our country.

And how else can we enforce the SALT and other agreements we seek to enter into in the name of peace if we do not know with accuracy what the other side is doing?

Mr. YOUNG of Georgia. Mr. Chairman, I move to strike the requisite number of words.

(Mr. YOUNG of Georgia asked and was given permission to revise and extend his remarks.)

Mr. YOUNG of Georgia. Mr. Chairman, I think that we have to vote this amendment down and get on with the investigation of our intelligence-gathering apparatus in this Nation.

We are getting a strange mixture of truth and fiction, and I would just like to take a minute to try to set the record straight. The important leaks that anybody has read in the papers have come from members of this committee.

The allegations against one of the members of this committee did not occur in the context of this committee at all. Nor did they occur in this Congress. The reported leaking of information to the press on the CIA's involvement in Chile occurred in the last Congress, almost a year ago. We had heard nothing about it in that Congress. There was no attempt on the part of the Committee on Ethics in the past Congress to do anything about it. Now, at this time, we find a merging of incidents which have occurred over a year in an attempt to malign the intentions and credibility of a committee that I think was attempting to do a job that is very much needed.

One other thing, if we read the papers carefully over the last few months, the majority of the so-called leaks about our intelligence-gathering apparatus have come from the directors of those agencies themselves. They have not come from congressional staff, either on the House side or on the Senate side.

The release on yesterday that the FBI had engaged in illegal break-ins came from the Director of the FBI.

Mr. Chairman, I think what we see here, both from the FBI and from the Central Intelligence Agency, is an attempt on the part of those agencies to let the Congress know that they know that they need some supervision and some guidelines.

There was a time, I think in the early 1950's or 1960's, when we were engaged in things like the Cuban missile crisis and the blockade of Berlin, when we found the intelligence apparatus

of this Nation invaluable to our national security. At that time we heard no complaints about the things that they were doing or the manner in which they were doing them because, in fact, they were dealing with an intelligence apparatus in the Soviet Union which was 10 times larger than ours, so I hear. The very fact that there was that kind of serious opposition kept our intelligence apparatus in some kind of legitimate perspective.

When we have our intelligence apparatus operating in a country like Chile, I suggest that we get another thing altogether. When we have our intelligence apparatus operating in Laos and Cambodia and Vietnam, I suggest we get some gray areas that need to be defined morally, and that the civil servants in any of our agencies are not the ones charged by the American people to do that definition. That definition has to come from the Congress of the United States.

Mr. Chairman, I would suggest that we are going to continue to get leaks from the agencies themselves. We have had at least three former CIA agents and at least two former FBI agents, that I know of, who have written books on the agencies. The allegations and revelations in those books are going to continue to come forward to the American people, and the American people are going to look to their elected representatives and say: "Why did you let this go on? Is this going on? It is your responsibility. We want intelligence, but we do not want dirty tricks."

Mr. Chairman, I think that unless we have a responsible committee going on with this kind of investigation, we are going to find ourselves being blamed for all of those things that have gone on in the years before. I see, as I say again, the intelligence community crying out to us for leadership.

We had a situation not far from my district, where a gentleman was running guns, not against a Communist country or even against a country about to become Communist, but against the little Republic of the Bahamas. Nobody was willing to bother him, in terms of the local police apparatus, because everybody in the local police in Georgia knew that he was sort of a CIA subcontractor and that he had been selling arms all over Latin America, presumably with CIA suggestion and clearance.

Now, what is to stop him from deciding where this country gets involved? I suggest that one cannot let any Georgia gunrunner determine the foreign policy of the United States. That is what we have got going on now, not the CIA being responsible, but about two or three steps removed from the CIA. Most of the things we are reading about in terms of assassination and everything else were two or three steps removed from the CIA.

The CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent, Mr. YOUNG of Georgia was allowed to proceed for 1 additional minute.)

Mr. YOUNG of Georgia. Mr. Chairman, because one cannot do the kind of things that have been handled by decent men without separating oneself

from the chain of command, what we in the Congress have got to do is to establish a chain of command which makes us, as the Congress, responsible for the intelligence activities of this Nation, and which holds the people that we employ through the CIA and any persons that they contract with, directly responsible, because that kind of a network does not exist, and it will not exist unless this Congress sets it up.

I hope we will vote down this amendment, and go on with the investigation.

Mr. BOLLING. Mr. Chairman, I seek to establish a time to vote on the amendment.

Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 15 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

Mr. QUILLLEN. Mr. Chairman, we have several Members on this side who desire to speak, which I would hope the Chairman would recognize. But since the Chairman has just recognized two Members from the other side, I think we are entitled to equal time. Therefore I object.

The CHAIRMAN. Objection is heard.

Mr. STEIGER of Arizona. Mr. Chairman, I move to strike the requisite number of words.

(Mr. STEIGER of Arizona asked and was given permission to revise and extend his remarks.)

Mr. STEIGER of Arizona. Mr. Chairman, I have listened to this debate intending not to support the amendment offered by the gentleman from Tennessee (Mr. QUILLLEN), and I can tell the Members that in my relatively brief tenure of 9 years here this is the first time that I can remember being completely turned around and persuaded to support the amendment offered by the gentleman from Tennessee.

Why? Because of the testimony I have heard here in the well by those who would urge defeat of the amendment.

It is clear to me—and it must be clear, if it is clear to me, then it must be clear to everybody—the Members are a little laggard this morning—it is clear to me that the gentleman from California (Mr. DELLUMS) has most eloquently stated and given the prima facie laboratory example of why this House must abandon this particular effort. He has recited here in the well every allegation that was ever dreamed up against the CIA, or probably ever will be. I think probably by the gentleman's willingness to recite and give credence to allegations which have been, by the gentleman's own words, as yet to be investigated, it seems to me to make it clear that the members of this committee have no concern for the intelligence community of this country. I guess that is the reason we have the mechanism we are putting into effect today since these people are dealing apparently by conscience, or desire for attention, or whatever—and I will not presume to attach a motive to it, it is clear that it is the responsibility of the House to bring them up short.

I would like to know from the Speaker, in the event the resolution offered by the gentleman from Missouri is



July 16, 1975

H 6871

passed, what the membership of the committee would be. But I suspect that that is a question that is not to be answered before the vote, or one that perhaps the Speaker is not prepared to answer.

But I would submit that there is simply no question that even my good friend, the gentleman from Georgia (Mr. YOUNG) for whom my undiminished respect will stand, and my respect for the gentleman will always remain undiminished, but even that gentleman has fallen into the trap of reciting allegations about some alleged CIA gun-runner in the South.

It is this propensity to recite—with whatever credibility the floor of the House gives—this kind of garbage that makes this committee unfit to continue its investigatory capacity.

I submit to the Members that when the gentleman from California (Mr. DELLUMS) was in the process of reciting his allegations, I was very interested to observe the press, particularly Mr. Schorr, for whom I have a great deal of feeling, I think would be a fair statement. I noticed that Mr. Schorr could hardly contain his pencil at that moment. I am sure he found a great many new allegations to recite.

The fact is that the CIA, whatever its past, is a functioning, or used to be a functioning entity of this Government. The fact is that Mr. Colby has been up on this Hill 39 times—that does not count his appearances before the Rockefeller Commission—since this Congress convened, 41 percent of the time the Congress has been in session.

I have the rare privilege of serving on the committee chaired by the gentlewoman from New York (Ms. ABzug)—and if one does not think that is a rare privilege, I invite those who do not share that privilege to join me on that committee. The gentlewoman from New York (Ms. ABzug) has had Mr. Colby up before this august committee on two occasions, mostly to declaim whatever he was doing. In fact, his only purpose was to declaim whatever he was doing.

The fact is the only way we are going to resist this irresponsible kind of effort—which is exactly, unfortunately, what this alleged investigation has turned into—the only way we are going to stop it, the only way we are going to preserve whatever may be left of the function of the CIA—and I know there are people here who think the CIA ought to be done away with. Let them do away with it through proper legislative channels, not by slander, not by gossip, and not by publicity.

I will tell my friends that really the only protection that remains for the CIA is to protect it from this House. The only way to achieve that is to support the gentleman from Tennessee—and I tell the Members that with some reluctance because I did believe that the House ought to be able at least to accept the Anderson amendment.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ICHORD. Mr. Chairman, I move to strike the requisite number of words. (Mr. ICHORD asked and was given permission to revise and extend his remarks.)

Mr. ICHORD. Mr. Chairman, recognizing that this is an issue upon which reasonable minds can differ, I rise in opposition to the amendment of the gentleman from Tennessee and in defense of the position of the gentleman from Missouri (Mr. BOLLING). I also rise in equal opposition to the amendment that will be proposed by the gentleman from Illinois (Mr. ANDERSON) because I believe for all practical purposes it presents the same issue. For all practical purposes, the Senate is not going to abandon an ongoing investigation and substitute a joint House-Senate investigation. I am equally opposed to the amendment that will be presented by the gentlewoman from New York as being completely irrelevant.

Mr. Chairman, based upon a statement that I have heard made on the floor of this House and also off the floor of the House, I am led to believe that there are Members in this body who would abolish the CIA or the FBI without further ado. I am entirely convinced that there are other Members in this body who would so severely restrict the FBI or the CIA that they could not carry out their responsibilities in an effective but yet constitutional manner.

Equally I am led to believe, Mr. Chairman, that there are Members in this body, based upon the same observation, who believe that extremism in the defense of liberty is not a vice. No such Members should be permitted to serve on this committee. If there are Members who may be afflicted with or could become afflicted with "mikeitis" or "cameratitis" or "publicityitis," those Members should not serve on this committee.

Mr. Chairman, the question before this House is: Will the House carry out, can the House carry out its responsibilities?

Much of the debate today and much of the debate Monday was based upon personalities. I am not going to get involved in the argument whether the committee should be increased, whether present members should continue to serve, or whether certain members should be removed. That is a question, that is a responsibility for this House to carry out through its leadership.

The sole question, as so eloquently put by the gentleman from Missouri (Mr. BOLLING), is: Is the House capable of forming a committee to investigate and make recommendations concerning the reorganization of our intelligence and security agencies?

Mr. Chairman, the responsibility of this House is to legislate, to investigate, and to conduct oversight activities. We should carry out those responsibilities. A great deal of legislation is going to come before the House this session concerning the FBI and the CIA and I submit that the House should not deprive itself of its power to investigate and to be equally informed as the Senate upon these matters that will come before the House.

Mr. ANDERSON of Illinois. Mr. Chairman, will the gentleman yield?

Mr. ICHORD. I yield to the gentleman from Illinois (Mr. ANDERSON).

Mr. ANDERSON of Illinois. Mr. Chairman, I thank the gentleman for yielding.

I asked the gentleman to yield because I respectfully suggest he misapprehends the provisions of the substitute resolu-

tion I intend to offer. It would not be necessary for the Senate to either abandon its present investigation or to adopt a similar resolution before the House members of a joint committee could be immediately appointed by the Speaker and suggested by the minority leader and they could take up the unfinished work of the select committee.

Mr. ICHORD. Does the gentleman feel the Senate will abandon its ongoing investigation and set up a joint investigation? If the gentleman can assure me that the ongoing investigations will continue, his idea does have merit. I cannot believe the Senate will abolish its present committee.

Mr. ANDERSON of Illinois. It will not be necessary for the Senate to do so under the provisions of my substitute resolution.

Mr. QUILLEN. Mr. Chairman, will the gentleman yield?

Mr. ICHORD. I yield to the gentleman from Tennessee.

Mr. QUILLEN. Mr. Chairman, the gentleman makes a very impressive talk in favor of my amendment.

Mr. ICHORD. I cannot understand that.

Mr. QUILLEN. I said the committee should be abolished and then in due process this House should come up with a permanent committee for the oversight of all of the intelligence agencies and go forward in that respect.

Mr. ICHORD. As I understand the resolution of the gentleman from Missouri it does abolish the present committee. We should not be talking about whether present members will continue to serve or whether one member should be kicked off, or all the present membership will be terminated. This in effect would abolish the present committee and provide for formation of a new committee.

Mr. McCLORY. Mr. Chairman, will the gentleman yield?

Mr. ICHORD. I yield to the gentleman from Illinois.

Mr. McCLORY. Mr. Chairman, I thank the gentleman for yielding.

I concur with the statement of the gentleman from Missouri. I think it is an important function for this committee to protect these intelligence agencies while we study the abuses and the illegalities of the actions alleged.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

(On request of Mr. SNYDER, and by unanimous consent, Mr. ICHORD was allowed to proceed for 1 additional minute.)

Mr. SNYDER. Mr. Chairman, will the gentleman yield?

Mr. ICHORD. I yield to the gentleman from Kentucky.

Mr. SNYDER. Mr. Chairman, I want to ask the gentleman one question. What jurisdiction would this new committee have that is not now invested in either the Government Operations Committee or the Armed Services Committee or another committee of the House?

Mr. ICHORD. I would state to the gentleman from Kentucky, there is residual jurisdiction over these matters in several standing committees of the House, but I do think under the circumstances since we are going to have so much leg-

isolation dealing with the FBI and dealing with the CIA that we are justified in setting up a separate investigatory committee in this case.

I would prefer a joint committee, as the gentleman from Illinois is recommending, if I thought that would be possible; but I think it is not practical to believe that the Senate is going to abandon its ongoing investigation and set up a joint committee.

Mr. SNYDER. But the jurisdiction does vest in the other committee, if they have the time.

Mr. ICHORD. That is quite true.

Mr. BEARD of Tennessee. Mr. Chairman, I move to strike the requisite number of words.

(Mr. BEARD of Tennessee asked and was given permission to revise and extend his remarks.)

Mr. BEARD of Tennessee. Mr. Chairman, I rise in support of the amendment of my colleague, the gentleman from Tennessee. I had not planned on taking the floor on this particular amendment, but I felt it necessary as a result of remarks made by my colleague, the gentleman from Georgia.

I get a little upset and concerned when I continue to hear statements being made regarding the formal complaint that I have made against my colleague, the gentleman from Massachusetts (Mr. HARRINGTON) to the Ethics Committee, that this is part of a conspiracy or part of an effort to disclaim the CIA Committee. I want to reassure or assure this House for the first time that this is no part of a conspiracy, nor am I here to stand and defend all the actions of the CIA, because I think that some of them are indefensible.

The point of the matter is that the rules of the House were violated in this particular case. This may seem out of bounds in regard to the debate we are having today, but I think it is very pertinent to the debate we are having as to the make-up of the committee, as to the direction of the restrictions the committee is going to operate under.

I think as a result of my charges against my colleague, the gentleman from Massachusetts, we will now have to face up to reality as to what will be our responsibilities. I have heard that our responsibilities were felt to be higher than the rules of the House. I can appreciate this, but by the same token, as I have mentioned in the past, this is the same type of philosophy that was projected by the "Plumbers Group," Halde- man and Ehrlichman and the rest of them. I find this unacceptable.

Now we are talking about creating another committee. In the appointment of the members of this committee, where do we draw the line? Do we appoint Members to the committee who have stated they are against all covert activities, that they feel, as my colleague, the gentleman from California, has stated in defense of my colleague, the gentleman from Massachusetts, that it was his right or responsibility as a Member of Congress to make this ultimate decision to violate the rules of the House or not? What happens in our discussions of this committee or in the testimony taken by

this new committee, if it is created at this time? What happens when these decisions are made by individual Members that this is against the law, this is criminal, and then take it upon themselves to relate it for public consumption? What do we do then?

I think the way to go would be to let us before we create another committee establish guidelines. Let us have the Ethics Committee establish the guidelines as a result of my formal complaint. Let us face the issue head-on.

We are not just talking about the CIA. We are talking about possible top secret material that may be taken regarding missile locations and someone who feels this is bad and against the law, that it would kill people, say, "I feel responsible and have a responsibility to a higher authority, that I should release this."

I feel a major problem today is that we need to establish guidelines to the members of the new committee, or whatever this committee is that is established, as to what and how we are going to operate. I do not think that is so unreasonable. We had better all be thinking about our responsibility and what our reactions are going to be if this complaint is brought from the Ethics Committee to the House floor, because it is a very real possibility and it is one we are going to have to face up to, not just today, not just to a specific individual, whom I have nothing against; but the fact Congress needs to face this reality. How are we going to operate, because if we have 435 Members of Congress representing the most diversified constituency in the world, making decisions upon their preference, upon what is right or what is wrong, with no respect or responsibility to the House rules, then, gentlemen and ladies, we could have total anarchy.

So, I think we owe it to ourselves and to our constituents and to the national security of this country that we resolve this question first before we get involved in deciding whether we have a committee of 10 members or 13 members or 20 members, or no committee at all. So, I say that now is not the time to create another committee, but to resolve this first question of what guidelines we are going to operate under.

Mr. MOSS. I move to strike the necessary number of words.

Mr. Chairman, I listened with considerable dismay to the remarks just made in this well by the gentleman from Tennessee. There has been no violation of the rules of this House by any person who is a member of the committee which is the subject of controversy. If there had been, conceding for purposes of debate only, a violation, it was a violation of the 93d Congress and not the 94th. I think that should be borne clearly in mind.

The rules do not carry over. We do not bind by the action of the previous Congress, nor are we answerable to a succeeding Congress for the role we may have played as Members, because we are elected here in this House for one Congress at a time. We do not continue until someone qualifies to succeed us. We are elected for 2 years, and 2 years only. And, this Congress sits for 2 years, and

2 years only. And, its rules operate for 2 years, and 2 years only.

The other body operates on the theory of being a continuing body. We do not. We have no such illusions as to our role. This is the 94th Congress of the United States. It started on the third day of January; it adopted its rules; it elected its committees and its Members then became answerable to the 94th Congress. If they breach the rules, if they violate in any manner the requirements of membership here, then they are answerable to this House.

But, for what I did in the 93d Congress, or for what I did in the 92d or 91st or 83d Congress, I will be damned, if I will answer to you, sir, or to any other Member of this House, and make no mistake about it.

Mr. McCLODY. Mr. Chairman, will the gentleman yield?

Mr. MOSS. I yield to the gentleman from Illinois.

Mr. McCLODY. Mr. Chairman, I thank the gentleman for yielding. I do not want to get into the subject that the gentleman appears to be discussing, but I do want to point out that in the resolution which is being offered by the gentleman from Missouri, there are specific provisions in section 6, with regard to confidentiality and secrecy by the members of the committee.

Mr. MOSS. I do not challenge the right of this House to impose any kind of a rule a majority determines is necessary or desirable.

Mr. McCLODY. I think it should be pointed out that we will endeavor in the working of the committee to maintain confidentiality and secrecy within the committee.

Mr. MOSS. The gentleman from Illinois is a very competent lawyer and a very competent parliamentarian, and he knows that that is an act of the 94th Congress. I have stated that I would be bound by any act of the 94th Congress, but I will not be bound by actions of the 93rd Congress.

Mr. McCLODY. I did not want to get into a discussion of what the gentleman is talking about, but only to point out that in this legislation that we are considering provision is made for confidentiality of material received.

Mr. MOSS. I recognize that, but again I point out that it is the 94th Congress, the one we are Members of now.

Mr. BEARD of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. MOSS. Yes, I yield to the gentleman.

Mr. BEARD of Tennessee. Mr. Chairman, I have a feeling that the gentleman was referring to my statements.

Mr. MOSS. I hope it was not a feeling. I tried to be very specific that I was referring to the gentleman's statements.

Mr. BEARD of Tennessee. I was quite shocked at the language but, with no reference to that, let me just state that I think, in regard to the gentleman's statement, the gentleman may not have to report to me, and I think the gentleman's statement represents the absolutely total hypocrisy that is projected by some Members of this House.

Mr. MOSS. I will not yield to the gen-

July 16, 1975

Approved For Release 2005/04/27 : CIA-RDP77M00144R001200030011-7

CONGRESSIONAL RECORD — HOUSE

H 6873

tleman any longer. I will not yield to the gentleman. In fact, it is only because of the rules that I so referred to the Member who has just spoken.

Mr. STRATTON. Mr. Chairman, will the gentleman yield?

Mr. MOSS. Yes, I yield to the gentleman.

Mr. STRATTON. I thank the gentleman for yielding.

The gentleman said there has been no violation by members of the committee in the 94th Congress. I think we ought to set the record straight.

The gentleman from Ohio (Mr. JAMES V. STANTON) made a public announcement with regard to assassinations, and two other gentlemen on the committee, Mr. DELLUMS and Mr. KASTEN, I believe, just a week ago announced the infiltration of the White House by the CIA. That information was taken in executive session and under the rules of the House cannot be released publicly.

Mr. MOSS. I am not willing yet to concede that there has been a violation of the rules of this House. I stand on my previous statements!

Mr. PEYSER. Mr. Chairman, I move to strike the last word.

(Mr. PEYSER asked and was given permission to revise and extend his remarks.)

Mr. JAMES V. STANTON. Mr. Chairman, will the gentleman from New York yield to me?

Mr. PEYSER. Yes, I will yield for a moment.

Mr. JAMES V. STANTON. I thank the gentleman for yielding.

Mr. Chairman, I would like to state that the gentleman from New York (Mr. STRATTON) has made a crusade in the local papers in Cleveland, Ohio, of attacking me for what he alleges to be a statement in which I said that the CIA was a party to an assassination. I did not refer to any names, people or places. And the fact of the matter is that, having been attacked, I stand on my position, and I do not yield from that statement. But that is no less a dishonorable act or illegal act or violation of the rules of this House. No party was mentioned, but I did happen to see that the Vice President of the United States, Mr. ROCKEFELLER, did allege or did make reference to a former President and a former Attorney General by direct statement on a national television program, and I do not see the gentleman from New York getting up and berating the Vice President of the United States, and I do not think he is the sole captive of the judgment of the secrets in the Congress of the United States.

Mr. PEYSER. I thank the gentleman and, just so the record will be straight, there being two gentlemen from New York here, the gentleman from Ohio (Mr. JAMES V. STANTON) was referring to the gentleman from New York (Mr. STRATTON).

Mr. STRATTON. Mr. Chairman, I ask unanimous consent that the gentleman from New York (Mr. PEYSER) be permitted to proceed for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York (Mr. STRATTON)?

Mr. STEIGER of Arizona. I object.

The CHAIRMAN. Objection is heard.

Mr. PEYSER. Mr. Chairman, I will yield for 1 minute to the gentleman from New York (Mr. STRATTON), and I will still ask for an extension of time.

Mr. STRATTON. I appreciate the gentleman's yielding his brief time.

Mr. Chairman, I would simply like to point out that the statement has been made twice this morning that no member of the present committee has ever leaked any information. The information which the gentleman from Ohio gave to the press was clearly information received in executive session in the 94th Congress. As far as the former Governor of New York State, the present Vice President of the United States, is concerned, he is not of course a Member of the House of Representatives.

Mr. JAMES V. STANTON. I never said I received that information in executive session, and let that be put in the record. The gentleman from New York (Mr. STRATTON) does not attribute it to me, either.

Mr. PEYSER. I thank the two gentlemen for their comments.

I would like to say that I took the floor of the House at this time because I am still uncertain as to how I am going to ultimately vote on the issue, whether it is the Bolling resolution or the Anderson substitute.

I listened to the debate until nearly 10 o'clock the other evening, and I am going to stay on the floor so that I may listen to the rest of the debate today. However, I do think that we in this House have a real obligation in this particular matter.

I have been and am a supporter of the CIA and its worldwide intelligence-gathering capabilities. I have certainly been a strong supporter, and continue to be, of a strong defense for this country. However, I feel that I do not want to be part of a coverup of what may be—and I stress "may be"—a coverup of the domestic activities of the CIA.

It is for this reason that I feel a committee should remain in existence, and that a committee that is going to be studying the operations of the CIA domestically in this country is of the utmost importance.

I do not see how we in this House can say we have had enough of the CIA investigations when in reality we have not had any. I am very critical of this committee for its lack of action over the last 4 or 5 months. I am not going to get into an argument about whose fault that was or whether the committee wanted to act or did not want to act. The net result is that we are here on the floor of the House today because the committee did not give us any information concerning the CIA.

I think it is time we take some positive action, and the positive action is going to be to support a measure—and as I say, I am not prepared to say which one I will support at this time—that will guarantee a continuance or a start by the House of Representatives of the investigation of the domestic activities of the CIA.

Mr. Chairman, I will, therefore, urge the defeat of the amendment in the na-

ture of a substitute offered by my good friend, the gentleman from Tennessee (Mr. QUILLEN).

The CHAIRMAN. The time of the gentleman from New York (Mr. PEYSER) has expired.

(On request of Mr. HALEY and by unanimous consent, Mr. PEYSER was allowed to proceed for 3 additional minutes.)

Mr. McCCLORY. Mr. Chairman, will the gentleman yield?

Mr. PEYSER. I yield to the gentleman from Illinois.

Mr. McCCLORY. Mr. Chairman, I thank the gentleman for yielding.

I just want to say in defense of the Vice President of the United States that I think his statements were clear. I do not believe he made the charges which are attributed to him, and I think this was an erroneous interpretation. I think his statements should stand for themselves, not the interpretations that were put on his statements in earlier remarks here today.

Mr. QUILLEN. Mr. Chairman, will the gentleman yield?

Mr. PEYSER. I yield to the gentleman from Tennessee.

Mr. QUILLEN. Mr. Chairman, concerning the point that the gentleman has made that he thinks this committee should act and do some investigation of the CIA, does the gentleman recall that the Rockefeller Commission made a thorough investigation of the CIA and has reported? And that committee was headed by the gentleman's former Governor, who is at this time our Vice President. Does the gentleman know that the Church committee is now underway in investigating the activities of the CIA, both domestically and internationally?

My amendment would abolish the committee, but it would give the House time to come up with what is needed so that we can then go forward with the creation of a permanent committee.

Mr. PEYSER. Mr. Chairman, I appreciate the gentleman's remarks. Obviously I am well aware that the Vice President and the Commission did submit a report, but I believe very firmly that the Vice President's report in no way inferred that was the ultimate end of the investigation of the CIA. I think in fact the Vice President would be among the first to support the position that there would be perfectly logical grounds for the House of Representatives to conduct an investigation, which we have not as yet had.

That is all I am saying, that any vote, and particularly by my colleagues on the Republican side, that would say we do not want to know any more about what has happened here, that we know enough, I think, would be a mistake.

Mr. Chairman, I urge the Members to vote to defeat this amendment in the nature of a substitute, and then we can make up our own minds on the way we want to continue with this, whether we want to accept the Anderson amendment or the Bolling resolution or something that is ongoing.

Mr. McCCLORY. Mr. Chairman, will the gentleman yield?

Mr. PEYSER. Yes, I yield to the gentleman from Illinois.

Approved For Release 2005/04/27 : CIA-RDP77M00144R001200030011-7



H 6874

## CONGRESSIONAL RECORD—HOUSE

July 16, 1975

Mr. McCLODY. Mr. Chairman, I want to commend the gentleman from New York (Mr. PEYSER) on his position.

I want to state further that if we were to adopt the Quillen amendment, we would be abdicating our role and our entire job in this important area and saying that we have no business being in it or that it belongs in a Presidential commission or it belongs over in the Senate.

We do have a legitimate role here and we can fulfill it.

Mr. Chairman, I commend the gentleman for his very forthright position.

Mr. PEYSER. Mr. Chairman, I thank the gentleman for his comments.

(By unanimous consent, Mr. DENT was allowed to speak out of order.)

## ALL CONGRESSIONAL CONTESTS NOW RESOLVED

Mr. DENT. Mr. Chairman, I asked for this time, for just 30 seconds, to announce that all of the contests against Members of Congress as a result of the last election have been resolved by our committee, and all present Members of Congress are seated permanently.

Mr. GIAIMO. Mr. Chairman, I move to strike the requisite number of words.

(Mr. GIAIMO asked and was given permission to revise and extend his remarks.)

Mr. GIAIMO. Mr. Chairman, I rise in opposition to the amendment of the gentleman from Tennessee (Mr. QUILLEN).

I urge the House to let us get on with our business, and let us not lose sight of the very important decision to be made here today.

If we get into the personalities of individual Members, we could go on and on ad infinitum, assessing blame and attributing credit. Loose claims of violations, where violations may or may not have taken place, should not be made. Let us stick to the issues and keep this debate on a high level.

Mr. Chairman, the gentleman's amendment deserves to be defeated. There is ample reason for continuing investigations of the intelligence agencies of the United States.

Those of us who have served in this body know the cast of characters. We know the motivations of those who want investigations, of those who were shocked by the allegations which have come out in the newspapers, of those who would have us destroy the intelligence agencies, and of those who would tolerate anything which the intelligence agencies might do. I like to believe, however, that the overwhelming majority of us are somewhere in the middle and that we recognize the need for an FBI and the need for a CIA.

While we recognize the need for intelligence operations, we also know, as experienced legislators and as students of history, that many dangerous things can happen in secrecy. It is our duty in the Congress, as Representatives, to exercise to a much greater degree than we have to date the oversight function.

Mr. Chairman, I want an intelligence-gathering function in this country, but I want no secret government operating and deciding for itself what is right and what is not right.

This is what we are trying to look into, and I will suggest to the gentleman from

Tennessee (Mr. QUILLEN) that there is ample room for the House to do this.

Therefore, Mr. Chairman, let us rise above a discussion of personalities, and let us recognize that we were mandated by this House months ago to conduct an investigation of our intelligence community.

We are faced with abolishing the present Select Committee on Intelligence and creating a new one, albeit with 13 members rather than 10. Of course, the question is going to arise with respect to the makeup of the membership of the committee. Why? Although some members may want off for their own personal reasons, it is suggested that an effort is being made to force off of the committee some members who do not want off. There are other suggestions that an enlargement of the committee would be for the purpose of changing the character of the committee or broadening the responsibilities, whatever they may be.

Let us decide on the issues, but let us not get into the business of accusing members of attributing bad motives with respect to the intentions and the purposes of members' activities.

Mr. Chairman, let us rise above that. Let us say no to this amendment.

Let us either keep in existence the present select committee or, if we will, create a new one, but let us get on with the job. I submit to the Members there is a need for a job to be done in this area.

For 25 years, since the end of World War II, it has been impossible for Members and for the public to look into the activities of the CIA, the FBI, or any of the other intelligence agencies of the U.S. Government. Fortunately at this particular period in history, perhaps because of the Watergate investigation—if the Members will excuse my making reference to that, although I would suggest that some Members on the other side of the aisle also opposed some of those investigations—we now have the ability in this Congress to look into these agencies which were once sacred cows, and which, literally, we could not touch before.

We now have this rare opportunity to look into them, to analyze them, to see if, in fact, they are infringing on the rights of the American people. I submit to the Members that we not lose this opportunity to continue the investigation.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BOLLING. Mr. Chairman, I move to strike the requisite number of words, and I do so for the purpose of saying: Let us vote on the Quillen amendment.

The CHAIRMAN. The question is on the amendment in the nature of a substitute offered by the gentleman from Tennessee (Mr. QUILLEN).

The question was taken; and the Chairman announced that the noes appeared to have it.

## RECORDED VOTE

Mr. QUILLEN. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 122, noes 293,

answered "present" 2, not voting 17, as follows:

[Roll No. 390]

## AYES—122

Abdnor	Gradison	Murtha
Alexander	Guyer	Myers, Ind.
Ashbrook	Hagedorn	O'Brien
AuCoin	Hammer-	Pettis
Bafalis	schmidt	Poage
Bauman	Hansen	Pressler
Beard, Tenn.	Harsha	Quillen
Bevill	Hastings	Rhodes
Broomfield	Hébert	Roberts
Brown, Calif.	Hillis	Robinson
Brown, Ohio	Holt	Roussot
Broyhill	Hubbard	Santini
Buchanan	Hutchinson	Satterfield
Burgener	Hyde	Schroeder
Burleson, Tex.	Jarman	Schulze
Byron	Jenrette	Sebelius
Carter	Johnson, Pa.	Shriver
Casey	Jones, Okla.	Shuster
Cederberg	Jones, Tenn.	Sikes
Chappell	Kelly	Smith, Nebr.
Clancy	Kemp	Snyder
Clausen,	Ketchum	Spence
Don H.	Kindness	Steed
Clawson, Del.	Krueger	Steiger, Ariz.
Collins, Tex.	Lagamarsino	Stratton
Conable	Landrum	Stuckey
Cornell	Lent	Talcott
Crane	Levitas	Taylor, Mo.
Daniel, R. W.	Litton	Taylor, N.C.
de la Garza	Lloyd, Tenn.	Waggoner
Derwinaki	Lott	Walsh
Devine	McDonald	Wampler
Dickinson	McEwen	Whitehurst
Duncan, Oreg.	Martin	Wiggins
Duncan, Tenn.	Mathis	Wilson, Bob
Edwards, Ala.	Michel	Winn
Fithian	Miller, Ohio	Wylder
Florio	Mitchell, N.Y.	Wylie
Flynt	Montgomery	Young, Alaska
Forsythe	Moore	Young, Fla.
Frey	Moorhead,	Young, Tex.
Goodling	Calif.	

## NOES—293

Abzug	Cotter	Hamilton
Adams	Coughlin	Hanley
Addabbo	D'Amours	Hannaford
Ambro	Daniel, Dan	Harkin
Anderson,	Daniels, N.J.	Harrington
Calif.	Danielson	Harris
Anderson, Ill.	Davis	Hawkins
Andrews, N.C.	Delaney	Hayes, Ind.
Andrews,	Dellums	Hays, Ohio
N. Dak.	Dent	Hechler, W. Va.
Annunzio	Derrick	Heckler, Mass.
Armstrong	Diggs	Hefner
Ashley	Dingell	Heinz
Aspin	Dodd	Helstoski
Badillo	Downey	Henderson
Baldus	Downing	Hicks
Barrett	Drinan	Hightower
Baucus	du Pont	Hinshaw
Beard, R.I.	Early	Holland
Bedell	Eckhardt	Holtzman
Bennett	Edgar	Horton
Bergland	Edwards, Calif.	Howard
Blaggi	Ellberg	Howe
Blester	Emery	Hughes
Bingham	English	Hungate
Blanchard	Erlenborn	Ichord
Blouin	Esch	Jacobs
Boggs	Eshleman	Jeffords
Boland	Evans, Ind.	Johnson, Calif.
Bolling	Evins, Tenn.	Johnson, Colo.
Bonker	Fary	Jones, Ala.
Bowen	Fascell	Jones, N.C.
Brademas	Fenwick	Jordan
Breaux	Findley	Kasten
Brinkley	Fish	Kastenmeier
Brodhead	Fisher	Kazen
Brooks	Flood	Keys
Brown, Mich.	Flowers	Koch
Burke, Calif.	Foley	Krebs
Burke, Fla.	Ford, Mich.	LaFalce
Burke, Mass.	Ford, Tenn.	Latta
Burleson, Mo.	Fountain	Leggett
Burton, John	Fraser	Lehman
Burton, Phillip	Frenzel	Lloyd, Calif.
Carney	Gaydos	Long, La.
Carr	Gialmo	Long, Md.
Chisholm	Gibbons	Lujan
Clay	Gilman	McClary
Cleveland	Ginn	McCloskey
Cochran	Goldwater	McCollister
Cohen	Grassley	McCormack
Collins, Ill.	Green	McDade
Conte	Gude	McFall
Conyers	Haley	McKay
Corman	Hall	McKinney

Macdonald	Patterson,	Skubitz
Madden	Calif.	Slack
Madigan	Pattison, N.Y.	Smith, Iowa
Maguire	Pepper	Solarz
Mahon	Perkins	Spellman
Mann	Peyser	Staggers
Mazzoli	Pickle	Stanton,
Meeds	Pike	J. William
Melcher	Preyer	Stanton,
Metcalfe	Price	James V.
Meyner	Pritchard	Stark
Mezvinsky	Quie	Steelman
Mikva	Railsback	Stephens
Millford	Randall	Stokes
Miller, Calif.	Rangel	Studds
Mills	Rees	Sullivan
Mineta	Regula	Symington
Minish	Reuss	Thompson
Mink	Richmond	Thone
Mitchell, Md.	Rinaldo	Thornton
Moakley	Risenhoover	Traxler
MoFett	Rodino	Treen
Moorhead, Pa.	Roe	Tsongas
Morgan	Rogers	Ullman
Mosher	Roncalio	Van Deerlin
Moss	Rooney	Vander Jagt
Mottl	Rose	Vander Veen
Murphy, Ill.	Rosenthal	Vanik
Murphy, N.Y.	Rostenkowski	Vigorito
Myers, Pa.	Roush	Waxman
Natcher	Roybal	Weaver
Neal	Runnels	Whalen
Nedzi	Ruppe	White
Nichols	Russo	Whitten
Nix	Ryan	Wilson, C.H.
Nolan	St Germain	Wilson, Tex.
Nowak	Sarasin	Wirth
Oberstar	Sarbanes	Wolf
Obey	Schauer	Wright
O'Hara	Schneebell	Yates
O'Neill	Seiberling	Yatron
Ottinger	Sharp	Young, Ga.
Pasman	Shipley	Zeferetti
Patman, Tex.	Simon	
Patten, N.J.	Sisk	

## ANSWERED "PRESENT"—2

Breckinridge Gonzalez

## NOT VOTING—17

Archer	Fuqua	Steiger, Wis.
Bell	Karh	Symms
Butler	McHugh	Teague
Conlan	Matsunaga	Udall
Evans, Colo.	Mollohan	Zablocki
Fulton	Riegle	

So the amendment was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Symms for, with Mr. McHugh against.  
Mr. Conlan for, with Mr. Riegle against.  
Mr. Teague for, with Mr. Zablocki against.

The result of the vote was announced as above recorded.

AMENDMENT IN THE NATURE OF A SUBSTITUTE  
OFFERED BY MR. ANDERSON OF ILLINOIS

Mr. ANDERSON of Illinois. Mr. Chairman, I offer an amendment in the nature of a substitute.

The Clerk read as follows:

Amendment in the nature of a substitute offered by Mr. ANDERSON of Illinois: On page 1, strike all after the "Resolved" clause and insert in lieu thereof the following:

"That the Select Committee on Intelligence is abolished immediately upon the adoption of this resolution. However, funds authorized for the use of the Select Committee under House Resolution 138 may be expended for a period not to exceed thirty days for the purposes of staff salaries and for the payment of expenses incurred by the select committee prior to the adoption of this resolution. All papers, documents, and other materials generated by the select committee shall be transferred upon the adoption of this resolution to the keeping of the Clerk of the House, pending their further disposition as provided by section 2 of this resolution.

## "TRANSFER OF AUTHORITY, MATERIALS, AND FUNDS

"Sec. 2. Upon the adoption by the House of Representatives of a bill or resolution es-

tablishing a joint committee on intelligence (by whatever name), it shall be in order to immediately appoint the House members to that committee for the purpose of assuming the full authority previously delegated to the Select Committee on Intelligence, under the provisions and conditions, and using the remaining available funds, of House Resolution 138. The House members of the joint committee shall constitute an interim ad hoc committee on intelligence of the House until such time that final action is taken on the bill or resolution establishing the joint committee or until January 10, 1976, whichever is earlier. The papers, documents, and other materials in the keeping of the Clerk of the House under section 1 of this resolution shall be transferred to the interim ad hoc committee upon its appointment."

(Mr. ANDERSON of Illinois asked and was given permission to revise and extend his remarks.)

Mr. ANDERSON of Illinois. Mr. Chairman and members of the committee, I think the House has very convincingly demonstrated by a vote of more than two and a half to one that it does not desire to simply abolish the present Select Committee on Intelligence and do nothing more. I support that decision. However, although I devoutly believe in the Resurrection that took place 2000 years ago, I do not believe in the death and instant resurrection of a select committee of Congress. It seems to me that is what we are trying to achieve under the resolution now before the House, House Resolution 591.

The gentleman from Georgia (Mr. Young) spoke, and very correctly so, of the need to establish a chain of command that would establish, as he put it, congressional accountability for the intelligence activities carried on by this country. I would suggest that this very worthy purpose will not be accomplished simply by the attempt to recreate the existing select committee. Only when we come to the point of being willing to concede that a Joint Committee on Intelligence with continuing oversight responsibility should be created, will we fully discharge our responsibility in that regard.

Mr. Chairman, I want to answer a couple of the arguments that have been raised against this proposition today by my friend from Illinois (Mr. McClellan), who seeks to preserve his present ranking status on the select committee—and I would support him, I will assure him, on any future assignment in connection with the intelligence investigation—but he said that the House inquiry would be out of business if the Senate would take sudden action acquiescing in the creation of a joint committee.

I would point out that the Senate certainly is not going to do that because, until the Church committee reports to it at the end of the year, there is not going to be any Senate action—I am convinced of that. In the interim period, if the House proceeds as I am sure it would to promptly adopt the resolution creating a joint committee, the House Members could be immediately appointed by the Speaker and suggested for membership by the minority leader and function as an interim, ad hoc committee to continue and carry out the work of this present Select Committee on Intelligence. There would be no hiatus.

Second, the gentleman said that only the present committee or its successor

will be in a position to recommend how the Congress should proceed to go about improving its intelligence oversight function. While I appreciate that one of the mandates of the present select committee is to address itself to the question of improving or reorganizing oversight by the Congress, I think to imply that the Rules Committee, which after all does have original jurisdiction over this matter, does not have the capability of formulating a sound and effective joint committee proposal is to do a disservice to the members of the Committee on Rules.

Let me further point out that the distinguished chairman of the Rules Committee assured me this week, when we were holding hearings on this proposition, that he would promptly schedule a hearing before that committee on the propositions now pending before the Committee on Rules to set up a joint committee.

In other words, there is no need to fear a hiatus, a gap of any kind. The Committee on Rules can proceed promptly with a hearing on how to best fashion the instrumentality by which we can assure the people of this country that they are getting an effective, continuing oversight on intelligence that we should have.

To simply tinker with the present membership of the Select Committee on Intelligence, that is the formula for delay. There is no assurance whatever, whether you continue with the present 10 members or whether you take off some members, that you are going to get the kind of down-the-line continuing oversight that we have needed in this country for the last 27 years, ever since the CIA was established.

So I would suggest that that, rather than the substitute which I am proposing, is the real prescription for delay.

Mr. McCLELLAN. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman.

Mr. McCLELLAN. I want to commend the gentleman for his enthusiasm and zeal regarding proposals for oversight, and I think they are good recommendations for goals for the purpose of assuming the rightful role of responsibility of this House of Representatives.

Mr. ANDERSON of Illinois. Will the gentleman let me reclaim my time?

A very distinguished former chairman of his committee used to say that on the street of by-and-by we come to the land of never-never. We waited for 27 years to get a joint committee. Let us show the people of this country that we have the initiative here and now, today, in July 1975, to take the first step to put the first stone in place to start erecting the foundation that will create that joint committee, not wait for some recommendation that might come a year hence. The Rockefeller Commission on the CIA has recommended this. There is no question there is a need before the country today.

The CHAIRMAN. The time of the gentleman has expired.

(On request of Mr. BROOMFIELD and by unanimous consent, Mr. ANDERSON of Illinois was allowed to proceed for 1 additional minute.)

Mr. BROOMFIELD. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman from Michigan.

Mr. BROOMFIELD. Mr. Chairman, I rise in support of the amendment to House Resolution 591 offered by the distinguished chairman of the House Republican Conference, the gentleman from Illinois.

During my period of service on the Murphy Commission and in light of revelations about the excesses of and lack of control over the intelligence community, I became convinced of the clear, urgent requirement for a Joint Committee on Intelligence Oversight. On June 25, the chairman of the Committee on International Relations and I introduced H.R. 8199 to establish a Joint Committee on Intelligence Oversight effective January 3, 1976, the deadline for the current select committee to complete its investigation. I note that the gentleman from Illinois is a cosponsor of similar legislation introduced the same day.

In suggesting January 1976 as the effective date of the establishment of the joint commission, our intention was not to prejudice the status of the Nedzi committee or any investigation it might undertake during this session of Congress. We assumed, or at least allowed for the possibility, that the select committee would resolve its membership problems and meet its January deadline. Recent events have shown us to be strong on oversight, but short on foresight.

I now believe it is questionable indeed whether the Select Committee on Intelligence, as currently constituted, is going to perform any useful function during this session. I see little to be gained from playing musical chairs with the members of the committee which has become crippled and suspect through no fault of its chairman. Our approach to oversight requires not a compromise solution, but a new, creative assessment of the problem and a clean break from past efforts. I believe the proposal of the gentleman from Illinois is such an approach; it provides the most efficient and effective means available for the House to begin to seize upon the question of intelligence oversight.

I sense general agreement in the House on the need for a Joint Committee on Intelligence Oversight—the sooner the better. Let us now move promptly toward a new beginning on this important issue. As a coauthor of H.R. 8199, I believe this would be the appropriate vehicle for the establishment of a joint committee, but I am less concerned with pride of authorship than with the principle involved—the necessity for Congress to offer a clear signal that we are prepared to accept responsibility for oversight. As long as an effective joint committee with a comprehensive mandate is established in the near future, I am not particularly concerned about who gets credit for the initiative.

In supporting the amendment of the gentleman from Illinois, I am accepting the assurance that the Rules Committee will promptly report out a bill calling for the formation of a Joint Committee on

Intelligence Oversight. I would strongly resist any situation in which the select committee is abolished without the promise of a new joint committee to take its place.

Intelligence oversight is an issue of overwhelming urgency and public concern. It must not become the object of partisan infighting or legislative bickering. The issue before us is clear: How can Congress most effectively move to establish control over all intelligence activities conducted by our Government? In my opinion, the amendment offered by the gentleman from Illinois provides the best avenue of approach.

Mr. MYERS of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman from Pennsylvania.

Mr. MYERS of Pennsylvania. I would also like to commend the gentleman for presenting what has been the most logical position on intelligence oversight in a long time to this House. I hope it does not make too much logic so that it is unacceptable to the House.

Mr. Chairman, I think now is the time, as the gentleman stated, to do what should have been done years ago. Just because we have a special committee in place is no strong argument for not doing what we should do to have a permanent Joint Committee on Intelligence.

Mr. ANDERSON of Illinois. I thank the gentleman.

Mr. McCLODY. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman.

Mr. McCLODY. I would ask the gentleman this: How would this ad hoc committee which would be set up, which would presumably have a 9-to-4 or 7-to-3 membership, be meshed into a joint committee with the Senate, which is composed of a 5-to-4 membership?

Mr. ANDERSON of Illinois. The gentleman misunderstood the proposition. There is no intention to mesh with the present Senate committee. That would, obviously, be up to the Senate, by a resolution which they adopt, to determine how many members they would contribute to this committee. I see no need to mesh the Church committee with this proposal.

Mr. BOLLING. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment in the nature of a substitute.

Mr. Chairman, I feel that I should inform the committee of the facts concerning the procedure in this situation. This matter, as it was being followed to a conclusion on Monday night, was postponed at the insistent demand of certain Members on this side. Time was found to consider this matter this morning.

I said on Monday night that the schedule of the House is so heavy that it was impossible to find any time to consider this except on Monday night, and that is why it was being brought up. We found 2 or 3 hours to consider it today, and as I stand here stating this situation, I am wasting 1 of the minutes that remain in the last hour of our time on the floor here today. I tried to close debate somewhat

early on the previous amendment which was defeated by a vote of 2½ to 1.

I have no intention of trying to infringe on the right of the House to take just as much time as it wants, but if we wish to dispose of this matter today, we must move expeditiously.

I oppose the amendment in the nature of a substitute offered by the gentleman from Illinois (Mr. ANDERSON). I think it is an ingenious way of prejudging something that should be judged by the select committee. I think the amendment should be voted down. I persist in the view that we should have a select committee which would make a series of recommendations. I do not think the House should prejudge a joint committee matter, no matter how strongly I myself support that position, any more than I think the House should prejudge the membership of the select committee or the joint committee.

Mr. Chairman, I ask for a vote on the Anderson amendment.

Mr. EDGAR. Mr. Chairman, I move to strike the requisite number of words.

(Mr. EDGAR asked and was given permission to revise and extend his remarks.)

Mr. EDGAR. Mr. Chairman, I rise in support of the Anderson amendment. I disagree with my colleague, the gentleman from Missouri (Mr. BOLLING). I think that this particular direction should be taken now.

Mr. Chairman, for many months we have all been exposed to rumors and innuendos about the excesses of a number of our intelligence operations, most notably the CIA. Investigations by both the Presidential Commission and the Senate committee have verified that a number of these incidents, once scoffed at, have actually occurred, and may only be the tip of a sinister iceberg.

The American people have been horrified at violations of not only the letter of the law, but also the spirit. Tragically, there have been violations of the basic human rights of individuals by our intelligence agencies. We know very little about the intelligence community, not even an estimate as to how much this chamber appropriates each year to the CIA.

Mr. Chairman, I could go on and read my statement at this time, but I think it is probably more important for us to focus on the real issue here. The cosmetic repair the committee is offering, the proposal to change the number of members who serve on the Select Committee from 10 to 13, is only that—a cosmetic repair. The solution which has just been offered to do away with any kind of investigation was soundly defeated.

The point we have to face is that the logical solution to the problem of the rumors, the innuendos, is to set up a permanent committee, an ongoing committee.

I would simply raise the point that the oversight of our intelligence community is not like that of a Joint Committee on Aging or like a Joint Committee on Energy or like a joint committee on many of the issues that we have, but it is the logical way in which the United States of America, through both the House and



the Senate, can oversee, review, and analyze the intelligence agencies.

Mr. Chairman, for years, our oversight into these agencies has been marginal at best, and it is clear that the American public wants to believe that if a monster exists, at least it is being watched and snared.

I believe we would be abrogating our duty if we did not engage in an active, purposeful investigation. So far, the investigation has been a sham. As a voter, would you have confidence in a legislative body which after 6 months of inaction, engaged in 2 hours of debate upon whether the committee should have 10 or 13 members or be totally abolished? I think not. However, in listening to and participating in Monday night's debate, it was clear to me that a Joint Committee on Intelligence Operations would be formed eventually. There is a broadening bipartisan consensus in the House, supported by recommendations by the Rockefeller commission, that there is at present no effective mechanism for oversight.

Mr. Chairman, we have been bogged down in personalities and internal conflicts at the expense of fulfilling our constitutional responsibilities. I can only ask—if we eventually agree that a joint committee will be necessary, why do we not build the foundation right now when it is most vitally needed?

My distinguished colleague from Illinois, Mr. McCLOY, pointed out Monday evening that the Rockefeller commission concentrated upon domestic CIA operations, and the well-oiled Senate investigation is concentrating upon foreign intelligence operations of the CIA. This amendment offered by Mr. ANDERSON and Mr. BIESTER would extend these investigations to provide oversight into the entire range of intelligence community. A joint committee would avoid overlap of a separate House and Senate committee, while pooling financial resources to integrate this oversight. A joint committee would provide a comprehensive congressional reply with a viable recommendation. We must avoid the bickering among ourselves which has frustrated any realistic House action.

I do not see how we can agree as a body unless we are willing to concede that our internal squabbling has failed to produce results. A compromise that will insure immediate action must be accepted. To vote against this amendment is an invitation to bring about continued conflicts, conflicts which may be unresolvable because of the heavy legislative demands on this Chamber.

Mr. Chairman, the question is oversight and I call upon my colleagues to support this amendment. I also call for the support of this Chamber for a joint committee which will not be intimidated when the heads of serpents peek out from under the rocks which the committee may overturn.

The allegations which have been made cannot be swept under the rug by the House of Representatives. This should be a bipartisan effort, and I feel that the Anderson amendment goes to the very heart of bipartisanship. We have made some mistakes in addressing these problems. The committee has made some

mistakes and individuals have made some mistakes. But to paraphrase a great baseball pundit, the American people would rather see errors of enthusiasm, than errors of indifference.

I yield back the balance of my time.

Mr. BURGNER. Mr. Chairman, will the gentleman yield?

Mr. EDGAR. I yield to the gentleman from California.

(Mr. BURGNER asked and was given permission to revise and extend his remarks.)

Mr. BURGNER. Mr. Chairman, I would like to associate myself with the remarks of the gentleman in the well in support of the Anderson amendment.

Mr. Chairman, I rise in support of the amendment offered by the gentleman from Illinois (Mr. ANDERSON) because I deeply believe that the long-range interests of this Nation can best be served by a stable oversight structure that involves the cooperation of both Houses of Congress.

This Nation needs an effective intelligence-gathering operation and a sophisticated intelligence evaluation service. We must not allow the very real and continuing need to insure against defects and mistakes to leave us without eyes and ears in the world. But we must not allow this need to prevent us from providing those safeguards which can assure the effective operation of a justifiable intelligence effort without significant breaches of the basic tenants of our society.

The other body is well underway in the task of investigating allegations of past excesses. I am confident that the investigation will provide the facts necessary to determine our future course. That is why I supported the Quillen amendment. We do not need to duplicate the efforts of that ongoing investigation.

But we most assuredly do need to address the future stability of our intelligence effort and the need for the proper safeguards against misuses. This amendment would provide the means to that end.

Mr. BIESTER. Mr. Chairman, will the gentleman yield?

Mr. EDGAR. I yield to the gentleman from Pennsylvania.

Mr. BIESTER. Mr. Chairman, I also desire to support the Anderson amendment. It makes eminent good sense, and I applaud the remarks of the gentleman from Pennsylvania (Mr. EDGAR).

As another gentleman from Pennsylvania said previously, this solution represents so logical and so rational an answer that perhaps it may not receive sufficient support. It deserves our support, and this House can demonstrate that it is as interested in preserving something for the future as it is in probing the past by supporting the amendment in the nature of a substitute offered by the gentleman from Illinois (Mr. ANDERSON).

Mr. EDGAR. Mr. Chairman, I thank the gentleman.

Mr. BRODHEAD. Mr. Chairman, I move to strike the requisite number of words.

(Mr. BRODHEAD asked and was given permission to revise and extend his remarks.)

Mr. BRODHEAD. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Illinois (Mr. ANDERSON).

It seems to me that too much attention on this whole matter has been devoted to what has happened in the past. Too much time has been devoted to a discussion of misdeeds that may have happened 6, 8, 10, or 12 years ago.

Too much attention has been devoted to the internal battles within the select committee. Too much attention has been devoted, frankly, to the CIA.

Mr. Chairman, it seems to me that the issue facing us is, what can we, as the House of Representatives, do to improve the oversight of the intelligence community? What can we do to see that the work of these agencies is coordinated? What can we do to assure to each Member of this House that he or she has a basic knowledge of what is going on in the intelligence community so that we can stop improper actions and support the legitimate and necessary work that is being done?

We must correct the abuses, the clear abuses, that have happened in the past. It is obvious that some of our intelligence agencies have engaged in improper and illegal actions. However, rather than focus on those actions that happened in the past, I think we must focus on how we can keep those kinds of things from happening in the future, and I think an investigation is needed and recommendations are needed as to what we can do, as the House of Representatives, to rectify the situation.

The Senate is proceeding with its own investigation, and I think it is unrealistic to assume that the Senate is going to divert effort and money and staff from the investigation that it has ongoing to engage in the proposed joint venture with the House at this time. Perhaps it would have been a viable solution 6 months ago. I do not think it is viable today, since the Senate investigation is rather far along.

Mr. Chairman, I think what we need to do is to go ahead and do what the Committee on Rules has suggested, to reconstitute the select committee with a larger number of members, with perhaps some changes in the membership, so that we can go ahead with a meaningful investigation.

Should this amendment be defeated, I intend to oppose any further amendments that might be offered to keep the present membership of the committee. I do not want to take sides in what has occurred, but I do think that it should be clear to all of us that the select has not worked; it has not worked so far, and it does not look as though it is going to work in the future except with a new committee. I think we can go ahead and do the job under those circumstances.

Mr. Chairman, I am grateful to the chairman and to members of the existing committee. I think they have worked hard. I think they tried to do a job. They just found that there were irreconcilable conflicts among the members of the select committee.

I say, let us go ahead and put those matters behind us. Let us look to the

future and see whether we can do the job that needs to be done and do it right.

Mr. Chairman, I think the recommendation of the Committee on Rules with respect to the setting up of a new committee is the best way to go and is far superior to the suggestion offered by the gentleman from Illinois (Mr. ANDERSON).

Mr. McCLODY. Mr. Chairman, will the gentleman yield?

Mr. BRODHEAD. Yes, I yield to the gentleman from Illinois.

Mr. McCLODY. Mr. Chairman, I thank the gentleman for yielding.

I think we see eye to eye on this, and a joint committee would ultimately be an appropriate thing. However, it would provide a very confusing situation, including the possible establishment of an ad hoc committee and the effective abolishment within 30 days of the present committee.

This ad hoc committee, it seems to me, would follow the provisions of House Resolution 138, and would require the same composition as the select committee, which would be a very poor basis upon which to establish at some uncertain later date—a joint committee.

Therefore, Mr. Chairman, while I think the gentleman from Michigan (Mr. BRODHEAD) and I support the idea of a joint committee ultimately to oversee our intelligence agencies, we should have the advantages of the recommendations of the select committee, in the first place, the recommendations of the Rockefeller commission, and of the Murphy commission. We support that, but this is not the time at present, it is not the place, nor is it the way in which to carry out that objective.

Mr. Chairman, I thank the gentleman for yielding.

Mr. BRODHEAD. Mr. Chairman, I thank the gentleman for his remarks.

I think the gentleman is correct that a joint committee may ultimately be the answer, but I would like to have a recommendation from a House committee first that that is the way they think we should go and that that is the way they think we can best oversee the activities of the entire intelligence community.

Mr. SISK. Mr. Chairman, I move to strike the requisite number of words.

(Mr. SISK asked and was given permission to revise and extend his remarks.)

Mr. SISK. Mr. Chairman, as one of those who became earlier-on involved in this particular situation, I have listened with a great deal of interest to the discussion and some of the amendments, and so forth, that have been going on. I well agree with the position taken by the committee that the present Committee on Intelligence must be abolished. Where we go from there, of course, I think is the question at issue.

Let me say at this point that I take this time primarily to direct a question or two to my colleague, the gentleman from Illinois (Mr. ANDERSON).

First, Mr. Chairman, let me hasten to say that the Committee on Rules is really committed, and this was expressed by every Member of the Committee on Rules, as I recall, I believe almost with-

out exception, to the idea of the creation of a permanent Joint Committee on Intelligence.

It was urged from time to time throughout the discussion of this issue. And I for one am dedicated and would publicly make a commitment that I would move as expeditiously as possible so far as one member of that committee, to proceed in the direction of the creation of such a committee.

I have had some problems with the approach of the gentleman from Illinois, though, in view of the procedural question here. And if I could be, let us say, convinced that it would work, I would be inclined to support his amendment.

I do not believe there is any question, I would say, that my colleague, the gentleman from Missouri (Mr. BOLLING), who is handling this bill, is as dedicated as I am, or any other member of the Committee on Rules, to the ultimate establishment of a permanent oversight committee. And I am not trying to put words in his mouth.

As I understand his section 2, he says that upon the adoption by the House of Representatives of a bill or resolution establishing a Joint Committee on Intelligence, that then the members shall immediately be appointed. It would be my understanding that this, of course, would require—that is, the passage of such a resolution, both House and Senate action. In other words, at what point are we going to proceed with the joint committee, and that is what I would believe, I am sure we ultimately will do, or at least I would hope we will do, and what I understand the gentleman from Illinois is pointing toward, but I am at a bit of a loss as to how we can act independently from the standpoint of going immediately ahead and setting up an ad hoc committee.

I would appreciate a little bit more information on that, because it seems to me this will ultimately become a joint resolution of the two bodies, rather than a unilateral action by either body.

As the gentleman from Illinois knows, there is a large group of Senators, including Senator MANSFIELD, and a number of both Republicans and Democrats who are proposing, basically, exactly the same thing from the other side. Will the gentleman comment on that?

Mr. ANDERSON of Illinois. Mr. Chairman, will the gentleman yield?

Mr. SISK. Of course, I yield to the gentleman from Illinois.

Mr. ANDERSON of Illinois. Mr. Chairman, I thank the gentleman for yielding. First of all let me say that I appreciate his commitment to the concept of a Joint Committee on Intelligence.

I think it would be perfectly possible under the Rules of the House for this body to adopt a resolution, and which, under its terms, Members could be appointed immediately, as I have said, by the Speaker, to serve on a committee which would become a joint committee once the Senate had acted on that resolution.

But pending action by the Senate, that resolution would provide that the House Members could be appointed immediately to take up the work of the present select

committee so as to carry out the objectives that have been raised in House Resolution 591, but then, in addition thereto, by action of the Senate then they would become the House Members of the joint committee which could continue on with the more important task, I think, of continued oversight responsibilities.

Mr. SISK. Mr. Chairman, let me follow that up with the next question.

I assume, then, the gentleman from Illinois proposes that the House would pass simply a House resolution appointing the House Members of such a joint committee.

Mr. ANDERSON of Illinois. The gentleman is correct.

Mr. SISK. With the idea in mind that at the time when a joint resolution, which obviously is going to have to be passed, is passed, we might very well have to increase those memberships or decrease them, depending upon what was finally agreed upon by and between the other body and ourselves; is that not correct?

Mr. ANDERSON of Illinois. The gentleman is correct, and I see no insuperable obstacles involved in that.

There are various proposals pending in the Committee on Rules now. Some would call for a joint committee of 14 members; some would call for a joint committee of 19 members. I am not personally dogmatic on the size of that committee. I think that it ought not to be too large. I serve presently on a joint committee, the Joint Committee on Atomic Energy, which is made up of 18 members, 9 from the House and 9 from the Senate. I think we function very effectively, both as a legislative committee and as an oversight committee.

Mr. SISK. If the gentleman would permit me to continue, I agree with the gentleman. I have served on joint committees. I think they do work very well. I am not wholly sold on as many joint committees as some people would be. I think we have here to respect the integrity of each House, but in this case I think it is the only answer.

I agree with the gentleman. As I say, I am willing to pledge my support as a member of the Committee on Rules to proceed expeditiously in this direction. That is why I am intrigued with the gentleman's proposal.

The CHAIRMAN. The time of the gentleman has expired.

(Mr. SISK asked and was given permission to revise and extend his remarks.)

Mr. EDWARDS of California. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment.

I do not want to let the debate end without correcting the impression that there is wide support for a commitment to a joint committee of the Senate and the House for intelligence oversight. It is a very complicated suggestion. The Library of Congress is loaded with articles on the subject. There are many strong arguments against having a joint committee. I would think that we would be making a great mistake to make this decision today, without debate or hear-

July 16, 1975

H 6879

ings on a final commitment to a joint committee.

We must address questions regarding the destruction of our bicameral legislative system and the impairment of the jurisdiction of the current standing committees of the House and the Senate. I can assure that once a joint committee is established regardless of the extent or limits of its jurisdiction, the White House will immediately instruct all the agencies to deal only with that joint committee. Then both Houses would be at the mercy not only of the permanent members of the joint committee but of the staffs, also.

There are 10 joint committees now. Can anyone here name all 10 joint committees?

The last point I want to make, Mr. Chairman, is that the mandate of the select committee includes a requirement that it recommend to this House whether or not there should be a joint committee or some other arrangement for further congressional oversight of U.S. intelligence agencies.

I think that we should turn the Anderson substitute down and await the recommendations of the select committee.

Mr. McCLODY. Mr. Chairman, will the gentleman yield?

Mr. EDWARDS of California. I yield to the gentleman from Illinois.

Mr. McCLODY. I thank the gentleman for yielding.

I just point out that in the first sentence of the gentleman's amendment, the committee would be abolished and the committee would remain abolished until such time as the joint committee was provided for in a new House resolution.

I would like to point out further that this business of adding members or subtracting members, depending upon what the Senate would do with any proposed new joint committee on intelligence would be something that would have to be taken care of in the proposal by which any such joint committee as set up. It seems to me this amendment of the gentleman from Illinois (Mr. ANDERSON) is way premature. It is very confusing. It is a great idea, and I support the idea as an ultimate goal, but at this time it is the wrong idea in the wrong place and at the wrong time. I hope it will be voted down, as the previous amendment was voted down.

Mr. EDWARDS of California. I thank the gentleman.

Mr. BOLAND. Mr. Chairman, the issue presented to this body by House Resolution 591 involves a very weighty problem for me. I have always held the conviction that the very nature of intelligence operations demands very competent and yet very discreet overview.

The avalanche of revelations that has recently laid bare many previous activities of the CIA only goes to show that permanent oversight capability vested in a joint committee of this Congress is—and has been—sorely missed by the two Houses of Congress.

I myself first advanced this opinion within a few years of my arrival in the House. In 1955, along with my good

friend, the distinguished majority leader, my colleague from Massachusetts (Mr. O'NEILL), I proposed a joint committee to investigate and review the activities of our intelligence community, particularly the newly formed CIA.

Because of my belief that a permanent joint committee is required, if we seriously expect to prevent the kind of illegal and unconscionable acts that have already been perpetrated in the name of national security, I have reintroduced my resolution of 20 years ago.

At the same time, however, I sincerely believe that the present House inquiry, which, as we all know, has become critically bogged down, must continue.

The staff is there, as is the framework for an exhaustive investigation. There has never been any doubt as to the enthusiasm or commitment of the members of the committee to pursue an investigation.

Most importantly, this body is just as competent as the Senate to conduct such an inquiry, and it wishes to do so. The reasons for this are obvious and compelling. The House shares the responsibility of enacting laws which will protect the citizens of this country from threats both external and internal.

In every case, it must be on the alert to insure that the laws of the United States perform that duty or are amended to insure that they do.

I have said that I believe that a permanent joint committee is one of the long-range answers to the problems attendant on the issues now before us.

I do not believe, however, that this conviction should lead any member to vote to cut off the present House select committee's investigation—no matter how unsuccessful its record has been to date.

That would, to my mind, constitute an admission of the House's inability or unwillingness to get to the heart of the abuses that are reported to have been committed.

Such a termination, if approved, would only fuel the fires of criticism surrounding the House with further evidence of division and lack of direction.

I believe that the House must order its household by itself or it will be unable to order that of other agencies of government.

Accordingly, I oppose the amendment offered by the gentleman from Illinois—and I urge passage of House Resolution 591 as proposed by the Committee on Rules.

The CHAIRMAN. The question is on the amendment in the nature of a substitute offered by the gentleman from Illinois (Mr. ANDERSON).

The question was taken; and the Chair announced that the noes appeared to have it.

# RECORDED VOTE

Mr. ANDERSON of Illinois. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 178, noes 230, answered "present" 1, not voting 25, as follows:

[Roll No. 391]

## AYES—178

Abdnor	Gaydos	Murtha
Alexander	Gilman	Myers, Ind.
Anderson, Ill.	Goldwater	Myers, Pa.
Andrews,	Goodling	Nedzi
N. Dak.	Gradison	O'Brien
Armstrong	Grassley	O'Hara
Ashbrook	Guyer	Pasman
Ashley	Hagedorn	Pettis
AuCoin	Hammer	Poage
Bafalis	schmidt	Pritchard
Bauman	Hansen	Quie
Beard, Tenn.	Harsha	Quillen
Bevill	Hastings	Rallsback
Biester	Hechler, W. Va.	Rees
Blanchard	Heckler, Mass.	Regula
Bowen	Heinz	Rhodes
Brinkley	Hightower	Rinaldo
Broomfield	Hillis	Robinson
Brown, Mich.	Hinsaw	Rostenkowski
Brown, Ohio	Holt	Roussellot
Broyhill	Horton	Ruppe
Buchanan	Howe	Santini
Burgener	Hubbard	Sarasin
Burleson, Tex.	Hughes	Satterfield
Carter	Hutchinson	Schneebeli
Casey	Hyde	Schroeder
Cederberg	Ichord	Schulze
Chappell	Jacobs	Sebelius
Clancy	Jarman	Shriver
Clausen,	Jeffords	Shuster
Don H.	Jenrette	Simon
Cleveland	Johnson, Colo.	Sisk
Cochran	Johnson, Pa.	Skubitz
Cohen	Kelly	Slack
Collins, Tex.	Kemp	Smith, Nebr.
Conable	Ketchum	Snyder
Conte	Kindness	Spellman
Cornell	Krueger	Stanton,
Coughlin	Lagamarsino	J. William
D'Amours	Latta	Steiger, Ariz.
Devine	Lent	Stratton
Dingell	Levitass	Talcott
Duncan, Oreg.	Litton	Taylor, Mo.
Duncan, Tenn.	Lloyd, Tenn.	Thone
du Pont	Lujan	Traxler
Edgar	McCloskey	Van Derlin
Edwards, Ala.	McCollister	Vander Jagt
Emery	McDade	Walsh
English	McDonald	Wampler
Erlenborn	McEwen	Whalen
Esch	McKinney	Whitehurst
Eshleman	Madigan	Wiggins
Evans, Ind.	Maguire	Wilson, Bob
Fenwick	Mann	Winn
Fish	Martin	Wydler
Fithian	Mathis	Wyllie
Florio	Michel	Yatron
Flynt	Miller, Ohio	Young, Alaska
Forsythe	Minish	Young, Fla.
Frenzel	Mitchell, N.Y.	Young, Tex.
Frey	Mosher	

## NOES—230

Abzug	Carr	Foley
Adams	Chisholm	Ford, Mich.
Addabbo	Clay	Ford, Tenn.
Ambro	Collins, Ill.	Fountain
Anderson,	Conyers	Fraser
Calif.	Corman	Giamo
Andrews, N.C.	Cotter	Gibbons
Annuizio	Crane	Ginn
Aspin	Daniel, Dan	Gonzalez
Badillo	Daniel, R. W.	Green
Barrett	Daniels, N.J.	Gude
Baucus	Danielson	Haley
Beard, R.I.	Davis	Hall
Bedell	de la Garza	Hamilton
Bennett	Delaney	Hanley
Bergland	Dellums	Hannaford
Blaggi	Dent	Harkin
Bingham	Derrick	Harrington
Blouin	Derwinski	Harris
Boggs	Dickinson	Hawkins
Boland	Diggs	Hayes, Ind.
Bolling	Dodd	Hays, Ohio
Bonker	Downey	Hebert
Brademas	Downing	Hefner
Breaux	Drinan	Helstoski
Brodhead	Early	Henderson
Brooks	Eckhardt	Hicks
Brown, Calif.	Edwards, Calif.	Holland
Burke, Calif.	Ellberg	Holtzman
Burke, Fla.	Evins, Tenn.	Howard
Burke, Mass.	Fary	Hungate
Burlison, Mo.	Fascell	Johnson, Calif.
Burton, John	Findley	Jones, Ala.
Burton, Phillip	Fisher	Jones, N.C.
Byron	Flood	Jones, Okla.
Carney	Flowers	Jones, Tenn.



H 6880

## CONGRESSIONAL RECORD—HOUSE

July 16, 1975

Jordan  
Kasten  
Kastenmeier  
Kazen  
Keys  
Koch  
Krebs  
LaFalce  
Landrum  
Leggett  
Lehman  
Long, La.  
Long, Md.  
Lott  
McClory  
McCormack  
McFall  
McKay  
Macdonald  
Madden  
Mahon  
Mazzoli  
Meeds  
Melcher  
Metcalfe  
Meyner  
Mezvinisky  
Mikva  
Milford  
Miller, Calif.  
Mills  
Mineta  
Mink  
Mitchell, Md.  
Moakley  
Moore  
Moorhead, Pa.  
Morgan  
Moss  
Mottl  
Murphy, Ill.  
Murphy, N.Y.

Natcher  
Neal  
Nichols  
Nix  
Nolan  
Nowak  
Oberstar  
Obey  
O'Neill  
Ottinger  
Patman, Tex.  
Patten, N.J.  
Patterson,  
Calif.  
Pattison, N.Y.  
Pepper  
Perkins  
Peyser  
Pickle  
Pike  
Pressler  
Preyer  
Price  
Randall  
Rangel  
Reuss  
Richmond  
Risenhoover  
Roberts  
Rodino  
Roe  
Rogers  
Roncalio  
Rooney  
Rose  
Rosenthal  
Roush  
Roybal  
Runnels  
Russo  
Ryan  
St Germain

Sarbanes  
Scheuer  
Seiberling  
Sharp  
Shipley  
Sikes  
Smith, Iowa  
Solarz  
Spence  
Stanton,  
James V.  
Stark  
Steed  
Steelman  
Stephens  
Stokes  
Studds  
Sullivan  
Symington  
Taylor, N.C.  
Teague  
Thompson  
Thornton  
Treen  
Tsongas  
Ullman  
Vander Veen  
Vanik  
Waggonner  
Waxman  
Weaver  
White  
Whitten  
Wilson, C. H.  
Wilson, Tex.  
Wolf  
Wright  
Yates  
Young, Ga.  
Zerferetti

ANSWERED "PRESENT"—1

Breckinridge

NOT VOTING—25

Archer  
Baldus  
Bell  
Butler  
Clawson, Del.  
Conlan  
Evans, Colo.  
Fulton  
Fuqua

Karth  
Lloyd, Calif.  
McHugh  
Matsunaga  
Moffett  
Mollohan  
Montgomery  
Moorhead,  
Calif.

Riegle  
Steiger, Wis.  
Stuckey  
Symms  
Udall  
Vigorito  
Wirth  
Zablocki

So the amendment in the nature of a substitute was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Bell for, with Mr. Matsunaga against.  
Mr. Symms for, with Mr. Vigorito against.  
Mr. Steiger of Wisconsin for, with Mr. Riegle against.  
Mr. Del Clawson for, with Mr. Mollohan against.

Mr. Conlan for, with Mr. McHugh against.  
Mr. Zablocki for, with Mr. Karth against.

The result of the vote was announced as above recorded.

Mr. BOLLING. Mr. Chairman, I move to strike the necessary number of words.

Mr. Chairman, I am forced to make a statement. I understand from the leadership that there is an absolutely essential matter that has to be considered beginning no later than shortly after 2:30. I understand it has something to do with an HEW appropriation bill, the Treasury, a variety of things. I am not privy to all of the details, but the leadership says they have to have the floor for other uses at 2:30.

Therefore, I am going to ask unanimous consent, and after I have asked unanimous consent, if it is turned down, I am going to move, and if the House turns that motion down, then we will rise at once, and when we will get back to this matter I have no idea.

First, I am going to ask unanimous consent that the resolution be considered as read, printed in the Record, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

Mr. BAUMAN. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. BOLLING. Mr. Chairman, then I can only ask unanimous consent that all debate on the resolution and all amendments thereto close at 2:30.

The CHAIRMAN. The gentleman should be advised that that request cannot be made until the resolution has been read.

Mr. BOLLING. Mr. Chairman, I understand it is an improper request. I want to demonstrate that I want to do everything I can. Unless we get the resolution considered as read and open to amendment, there is no opportunity of making a unanimous-consent request that all debate on the amendments to the resolution and the resolution close at 2:30. We have to get it read first. If we cannot do that, we cannot do anything, and I will move that the Committee rise.

Mr. Chairman, I will renew my unanimous-consent request. I ask unanimous consent that House Resolution 591 be considered as read, printed in the Record, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

Mr. BAUMAN. I object.

The CHAIRMAN. Objection is heard.

Mr. BOLLING. Mr. Chairman, I move that the committee do now rise.

The CHAIRMAN. The question is on the motion offered by the gentleman from Missouri (Mr. BOLLING).

The question was taken; and on a division (demanded by Mr. BOLLING) there were—ayes 105, noes 39.

## RECORDED VOTE

Mr. ERLBORN. Mr. Chairman, on that I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 242, noes 162, not voting 30, as follows:

[Roll No. 392]

## AYES—242

Adams  
Anderson, Ill.  
Andrews, N.C.  
Andrews,  
N. Dak.  
Annunzio  
Aspin  
AuCoin  
Bafalis  
Baldus  
Barrett  
Beard, R.I.  
Bedell  
Bennett  
Bergland  
Bevill  
Blanchard  
Boland  
Bolling  
Bonker  
Bowen  
Brademas  
Breaux  
Breckinridge  
Brinkley  
Brodhead  
Brooks  
Broomfield  
Brown, Calif.  
Buchanan  
Burgener  
Burke, Fla.  
Burke, Mass.  
Burleson, Tex.  
Burlison, Mo.  
Byron

Carney  
Casey  
Cederberg  
Chappell  
Cochran  
Corman  
Cornell  
Cotter  
Crane  
Daniel, Dan  
Daniel, R. W.  
Danielson  
Davis  
de la Garza  
Delaney  
Dent  
Derrick  
Derwinski  
Dickinson  
Dingell  
Dodd  
Downing  
Drinan  
Duncan, Oreg.  
Duncan, Tenn.  
Eckhardt  
Edwards, Ala.  
Elberg  
English  
Eshleman  
Evans, Ind.  
Evins, Tenn.  
Fary  
Fisher  
Flood  
Florio

Flowers  
Flynt  
Foley  
Fountain  
Fraser  
Gaydos  
Ginn  
Gonzalez  
Guyer  
Hagedorn  
Haley  
Hamilton  
Hammer-  
schmidt  
Hanley  
Hannaford  
Harris  
Harsha  
Hastings  
Hawkins  
Hayes, Ind.  
Hays, Ohio  
Hébert  
Hefner  
Henderson  
Hicks  
Hightower  
Hillis  
Hinshaw  
Holland  
Howard  
Howe  
Hubbard  
Hungate  
Ichord  
Jacobs

Jarman  
Jenrette  
Johnson, Calif.  
Johnson, Pa.  
Jones, Ala.  
Jones, N.C.  
Jones, Okla.  
Jones, Tenn.  
Jordan  
Kastenmeier  
Kazen  
Kelly  
Ketchum  
Keys  
Krueger  
Lagomarsino  
Landrum  
Latta  
Lehman  
Levitas  
Litton  
Lloyd, Calif.  
Lloyd, Tenn.  
Long, La.  
Long, Md.  
Lott  
McCormack  
McEwen  
McFall  
McKay  
Madden  
Maguire  
Mahon  
Mann  
Mathis  
Meeds  
Metcalfe  
Meyner  
Michel  
Milford  
Miller, Ohio  
Mills  
Mink  
Moakley  
Montgomery  
Moore  
Moorhead, Pa.

Moorhead,  
Calif.  
Morgan  
Moss  
Murphy, Ill.  
Murphy, N.Y.  
Murtha  
Natcher  
Neal  
Nichols  
Nolan  
Oberstar  
Obey  
O'Brien  
O'Hara  
O'Neill  
Passman  
Patman, Tex.  
Patten, N.J.  
Patterson,  
Calif.  
Pattison, N.Y.  
Pepper  
Perkins  
Pickle  
Pike  
Poage  
Pressler  
Preyer  
Price  
Quillen  
Randall  
Rangel  
Reuss  
Risenhoover  
Roberts  
Robinson  
Rodino  
Rogers  
Roncalio  
Rose  
Roush  
Rousselot  
Runnels  
Ryan  
St Germain  
Santini

Satterfield  
Schroeder  
Sebelius  
Shipley  
Shriver  
Sikes  
Sisk  
Skubitz  
Slack  
Smith, Iowa  
Smith, Nebr.  
Solarz  
Speilman  
Spence  
Staggers  
Stanton,  
J. William  
Steed  
Steiger, Ariz.  
Stephens  
Sullivan  
Symington  
Talcott  
Taylor, Mo.  
Taylor, N.C.  
Teague  
Thornton  
Traxler  
Ullman  
Van Deerlin  
Vander Jagt  
Vander Veen  
Waggonner  
White  
Whitten  
Wiggins  
Wilson, C. H.  
Wilson, Tex.  
Wright  
Wylie  
Yatron  
Young, Alaska  
Young, Fla.  
Young, Ga.  
Young, Tex.

## NOES—162

Abdnor  
Abzug  
Addabbo  
Alexander  
Ambro  
Anderson,  
Calif.  
Armstrong  
Ashley  
Badillo  
Bauman  
Beard, Tenn.  
Blaggi  
Blester  
Bingham  
Blouin  
Brown, Mich.  
Brown, Ohio  
Broyhill  
Burke, Calif.  
Burton, John  
Burton, Phillip  
Carr  
Carter  
Chisholm  
Clancy  
Clausen,  
Don H.  
Clay  
Cleveland  
Cohen  
Collins, Ill.  
Collins, Tex.  
Conable  
Conlan  
Conte  
Conyers  
Coughlin  
D'Amours  
Daniels, N.J.  
Dallums  
Devine  
Downey  
du Pont  
Early  
Edgar  
Edwards, Calif.  
Emery  
Erlenborn  
Fascell  
Fenwick  
Findley  
Fish  
Fithian  
Ford, Mich.

Ford, Tenn.  
Forsythe  
Frenzel  
Frey  
Giallmo  
Gibbons  
Gilman  
Goldwater  
Goodling  
Gradison  
Grassley  
Green  
Gude  
Hall  
Hansen  
Harkin  
Harrington  
Hechler, W. Va.  
Heckler, Mass.  
Heinz  
Helstoski  
Holt  
Holtzman  
Horton  
Hutchinson  
Hyde  
Jeffords  
Johnson, Colo.  
Kasten  
Kemp  
Kindness  
Koch  
Krebs  
LaFalce  
Leggett  
Lent  
Lujan  
McClory  
McCloskey  
McCollister  
McDade  
McDonald  
McKinney  
Macdonald  
Martin  
Mazzoli  
Melcher  
Mezvinisky  
Mikva  
Miller, Calif.  
Mineta  
Minish  
Mitchell, Md.  
Mitchell, N.Y.  
Moffett

Mosher  
Mottl  
Myers, Ind.  
Myers, Pa.  
Nedzi  
Nix  
Ottinger  
Pettis  
Peyser  
Pritchard  
Rallsback  
Rees  
Regula  
Richmond  
Rinaldo  
Roe  
Rooney  
Rosenthal  
Rostenkowski  
Roybal  
Ruppe  
Russo  
Saraain  
Sarbanes  
Scheuer  
Schneebeli  
Schulze  
Seiberling  
Sharp  
Shuster  
Simon  
Snyder  
Stanton,  
James V.  
Stark  
Steelman  
Stokes  
Stratton  
Studds  
Thone  
Treen  
Tsongas  
Vanik  
Walsh  
Wampler  
Waxman  
Weaver  
Whalen  
Whitehurst  
Wilson, Bob  
Winn  
Wolf  
Wyder  
Yates  
Zerferetti

July 16, 1975

H 6881

NOT VOTING—30

Archer	Fulton	Rhodes
Ashbrook	Fuqua	Riegle
Baucus	Hughes	Steiger, Wis.
Bell	Karh	Stuckey
Boggs	McHugh	Symms
Butler	Madigan	Thompson
Clawson, Del.	Matsunaga	Udall
Diggs	Mollohan	Vigorito
Esch	Nowak	Wirth
Evans, Colo.	Quile	Zablocki

So the motion was agreed to.

The result of the vote was announced as above recorded.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. EVANS of Colorado, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the resolution (H. Res. 591) establishing a Select Committee on Intelligence, had come to no resolution thereon.

REQUEST FOR PERMISSION FOR COMMITTEE ON AGRICULTURE TO SIT DURING 5-MINUTE RULE THIS AFTERNOON

Mr. FOLEY, Mr. Speaker, I ask unanimous consent that the Committee on Agriculture may sit during the 5-minute rule of the House this afternoon.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

Mr. JOHNSON of Colorado. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

CONFERENCE REPORT ON H.R. 5901, MAKING APPROPRIATIONS FOR THE EDUCATION DIVISION AND RELATED AGENCIES

Mr. FLOOD, Mr. Speaker, I call up the conference report on the bill (H.R. 5901) making appropriations for the Education Division and related agencies for the fiscal year ending June 30, 1976, and the period ending September 30, 1976, and for other purposes, and ask unanimous consent that the statement of the managers be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of July 11, 1975.)

Mr. FLOOD (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the statement be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The SPEAKER. The gentleman from Pennsylvania (Mr. Flood) is recognized.

(Mr. Flood asked and was given permission to revise and extend his remarks.)

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. FLOOD. I yield to the gentleman from Washington.

PERMISSION FOR SUBCOMMITTEE ON ENERGY RESEARCH, DEVELOPMENT, AND DEMONSTRATION OF COMMITTEE ON SCIENCE AND TECHNOLOGY TO SIT DURING HOUSE SESSION THIS AFTERNOON

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the Subcommittee on Energy Research, Development, and Demonstration of the Committee on Science and Technology be permitted to sit this afternoon starting at 2 o'clock p.m. while the House is in session.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. FLOOD. Mr. Speaker, we bring before the House today the conference report on the education appropriation bill. This is not the usual Labor-HEW bill. This is a straight Education bill for the fiscal year 1976.

If we adopt this conference report and if the other body and the President cooperate this will be the first regular appropriation bill to be enacted for fiscal year 1976. This is important to the people at home and to all school districts. Members should tell their people back home, this will be the culmination of an effort to provide an early appropriation for all education programs.

This is something we have been trying to do for years. All of the State and local school officials and all the colleges and universities need to know in advance how much and what kind of Federal assistance will be available to them before they develop their education budgets. I hope that explains to Members why this is important to them today and important for their people at home?

Late appropriations for education have been the biggest problem for the State and local school administrators. Adopting this conference report is a direct response to that problem.

Some Members will say: "Wait a minute, Flood. This conference report is \$1.3 billion over the President's budget. Is that right?" It is right.

"How can we possibly vote for such an excessive amount?" "How can the President sign this bill in view of the large Federal budget deficit?"

I think the Members can and should adopt this conference report. I think the President can and should sign this education bill. There is no need for anyone to feel apprehensive about supporting this education bill when they find out what is in it. Not at all.

All right. Certainly this bill is over the budget and by a very large amount. That is no accident. But let me point out to the Members very quickly that almost \$800 million of that chunk that is over the budget is simply restoring reductions and terminations proposed by the budget for many of these education programs. Do the Members notice that?

Now, this is what the budget proposed to do:

Cut impact aid, a favorite pigeon, \$390 million.

Cut aid to higher education \$200 million.

Cut—hear this—programs for the handicapped, \$25 million.

Cut—another of our favorites—vocational education, \$60 million.

Now, hear this, cut emergency school aid—of all things—\$140 million.

Cut library assistance, oh, yes—\$60 million. How is that?

Cut bilingual education, \$14 million.

Now, is that what we want—wholesale reductions like that in education? Well, the conferences did not think the House wanted us to do that.

Now, when this bill was brought to the floor back on April 16, the committee recommended a total of \$6,800 million, which is about the same amount as 1975. Well, what happened? Two hundred fifty-nine Members right here said, "Whoa, that is not good enough for education. We will not take that"—259 Members. So the committee bill was increased by a floor amendment adding \$487 million. That is what we did.

It was clear then—and it is clear now—that a great majority of this body will not accept a standstill budget for education—period. So the House passed by a voice vote the total appropriations of \$7,332,995,000 for fiscal year ending 1976.

Now, of course, the other body supports education just as much as we do and they added \$349 million to the bill. The Senate bill totaled \$7,682,511,852.

Now, the conference agreement, what happened? The conference agreement is \$7,480,312,952. That is \$147 million above the House bill, but it is \$202 million below the Senate bill. So the conferees came out of the conference with a bill that is closer to the House figure than to the Senate figure.

I want to call attention to the fact that in this bill we include advance funding for fiscal year 1977. This is very important to bear in mind, as we reflect upon the size of this bill. We are talking about Federal assistance for the school year which begins in September 1976. The conference report includes \$2,563,351,852 in advance appropriations for the fiscal year 1977. That is an increase of \$11,600,000 above the House bill.

Now, we have included advance appropriations of over \$2 billion for title I grants for disadvantaged children; \$184,500,000 for the consolidated grants for support and innovation; \$110 million for the grants to assist handicapped children; \$71.5 million for adult education; \$147 million for consolidated grants for school libraries.

The major changes now from the House bill which we agreed to in the conference are: First, for elementary and secondary education, the conferees agreed to \$21 million over the House bill. About \$11 million of that is to take care of that problem caused by that new formula on grant consolidation under title IV of the Elementary and Secondary Education Act. The Members will recall that the committee was aware of the fact that 17 States would receive less funds under the grant consolidation than they received last year for comparable purposes. The only acceptable way we found to resolve the problem is to add a specific amount and a so-called hold

harmless and this would require \$11 million over the House bill to work that out.

The conferees also agreed to \$2.5 million more for bilingual education, for a total of \$97.8 million. Also, we increased reading improvement—this is important—increased reading improvement from \$12 million to \$17 million. I am sure the Members have all heard about the "right to read" program, and I will not go into detail about that.

For impacted aid—oh, boy, and by the way, this thing is nearing its 25th anniversary. Did the Members ever think that it would last that long? This is the 25th anniversary of impacted aid, and the conferees agreed to \$680 million, or \$21 million over the House bill. Mr. Speaker, over the years this program has grown into a very complicated monstrosity, if I may understate it. When we first talked about it 25 years ago, many of us had no idea that it was going to be a can of worms like this. The new provisions enacted last year are now going into effect. The costs of some of these under this new law have not yet been determined, and it may be necessary to consider a supplemental appropriation bill later on in this year.

The conferees accepted \$241.7 million for emergency aid to desegregated school districts. That is \$15 million over the House bill, but it is the same amount as the 1975 appropriation.

The major increase over the House bill is for higher education programs. Here, the conferees agreed to about \$2.4 billion, or \$93.1 million over the House amount.

We agreed to \$715 million for basic opportunity grants—we call it the BOG program. That is \$55 million over the House bill, but it is \$335 million below the budget. This is the fourth straight year where the budget proposed full funding of this basic opportunity grants program. Again, we refused to go along absolutely with this proposal of the budget because it is based on cutting back or terminating very, very important existing programs of grants and loans to college students. We would not have any part of it. Someday, this program may be fully funded but only if it has proved to be a viable student aid program. So far it has not shown all that.

The conferees accepted half of the \$60 million increase proposed by the Senate, for the college work study program, which brings us to a total of \$390 million and will provide a substantial increase for the next academic year. For the library program, the conferees added \$9 million above the House bill, mainly for undergraduate instructional equipment—hardware.

The conferees accepted most of the Senate decreases from the House bill. We

reduced administrative costs for the Office of Education by \$2.6 million; statistics by \$1 million; post secondary innovation by \$2 million. We also agree on the \$10 million reduction for the National Institute of Education. This gives them \$70 million, the same as last year. The case for more funds for educational research and development has yet to be made. They have a new director down there. Maybe the new Director in NIE will change things around. I hope so.

I am aware of the disappointment that some Members have expressed about the \$3.5 million deletion for the White House Conference on Libraries. I want to make it clear the conferees are not opposed to this Library Conference. Not at all. They are just as much for it as anybody. It is just simply a matter of timing on appropriations. Basic law allows the President until 1978 to hold that Conference. We understand the administration supports it. What we are saying is this—let them send a budget request so that we can act on it in the regular manner, and we will act on it promptly. This would have been another case where the Congress appears to be exceeding the budget simply because of the delay in the budget request.

Mr. SEIBERLING. Mr. Speaker, will the gentleman yield?

Mr. FLOOD. I yield to the gentleman.

Mr. SEIBERLING. Mr. Speaker, we are accustomed to comparing bills, appropriation bills particularly, to the President's budget request. But we have a Budget Committee now in the Congress which has worked up spending totals, which we in this House approved, and these totals were based on a division among the various areas of spending, including education.

Mr. FLOOD. That is right.

Mr. SEIBERLING. Can the gentleman relate whether this bill is over or under the totals that are allocated for that purpose in the congressional budget?

Mr. FLOOD. No, we have no direct comparison. The reason is mainly a problem of comparing the conference report to the budget committee allocations. The figures are not really comparable.

Mr. SEIBERLING. I am just wondering if we can relate that to our own budget totals.

Mr. FLOOD. I do not believe the figures are comparable to this appropriation bill.

Mr. SEIBERLING. But is it within or outside of the congressional budget total?

Mr. FLOOD. I am certain that we will not be beyond budget totals.

I should also mention the bill includes \$464,683,000 for the transition period—this is something new—between fiscal year 1976 and the new fiscal year which will begin with 1977. Under this new

Budget Act my friend was just talking about, fiscal year 1977 will begin October 1, 1976, so appropriations, therefore, are needed for that 3-month interim period. The House and the Senate bills, by the way, provide the same amount for this transition period. So it was not a matter in conference. We are about \$196.4 million over the budget request, but that is due almost entirely to the increases that we recommend for fiscal year 1976.

Mr. GOODLING. Mr. Speaker, will the gentleman yield?

Mr. FLOOD. I yield to the gentleman.

Mr. GOODLING. Mr. Speaker, I thank the gentleman for yielding.

When the gentleman talked about impacted aid he used some pretty strong language.

Mr. FLOOD. Oh, yes.

Mr. GOODLING. I agree wholeheartedly with what I think the gentleman was saying. Does the gentleman plan to do anything about that? And the reason I ask is that I would like to talk about trying to do something about it if the gentleman does not plan to.

Mr. FLOOD. That, of course, the gentleman will have to take up with the legislative committee as to what should or should not be done. We are merely attempting to appropriate for the law as it now stands.

We have been through this for many years and it is difficult to control the cost and keep the program from expanding.

Mr. GOODLING. Even keeping it to our original costs?

Mr. FLOOD. Yes, it is a problem.

Now, finally, Mr. Speaker, I should mention that there is one amendment here which the conferees could not resolve. That is amendment No. 44. It relates to sex discrimination and title IX of the Education Amendments of 1972.

At the proper time, Mr. Speaker, I will offer a motion that the House insist on its disagreement and retain the language of the House provision on this matter.

Believe me, it would be very, very unfortunate if this bill were delayed. I have just told the Members of the timing problem with the other body. It would be very unfortunate to have this bill, of all bills, delayed by a subject that simply does not directly involve the appropriation of funds for the education program.

Mr. Speaker, I urge the adoption of the conference report and the motions I shall offer in connection with amendments which are reported in disagreement.

Mr. Speaker, I insert in the Record at this point a detailed table showing the amounts provided in the conference report for each appropriation in the bill, together with the appropriate comparison.